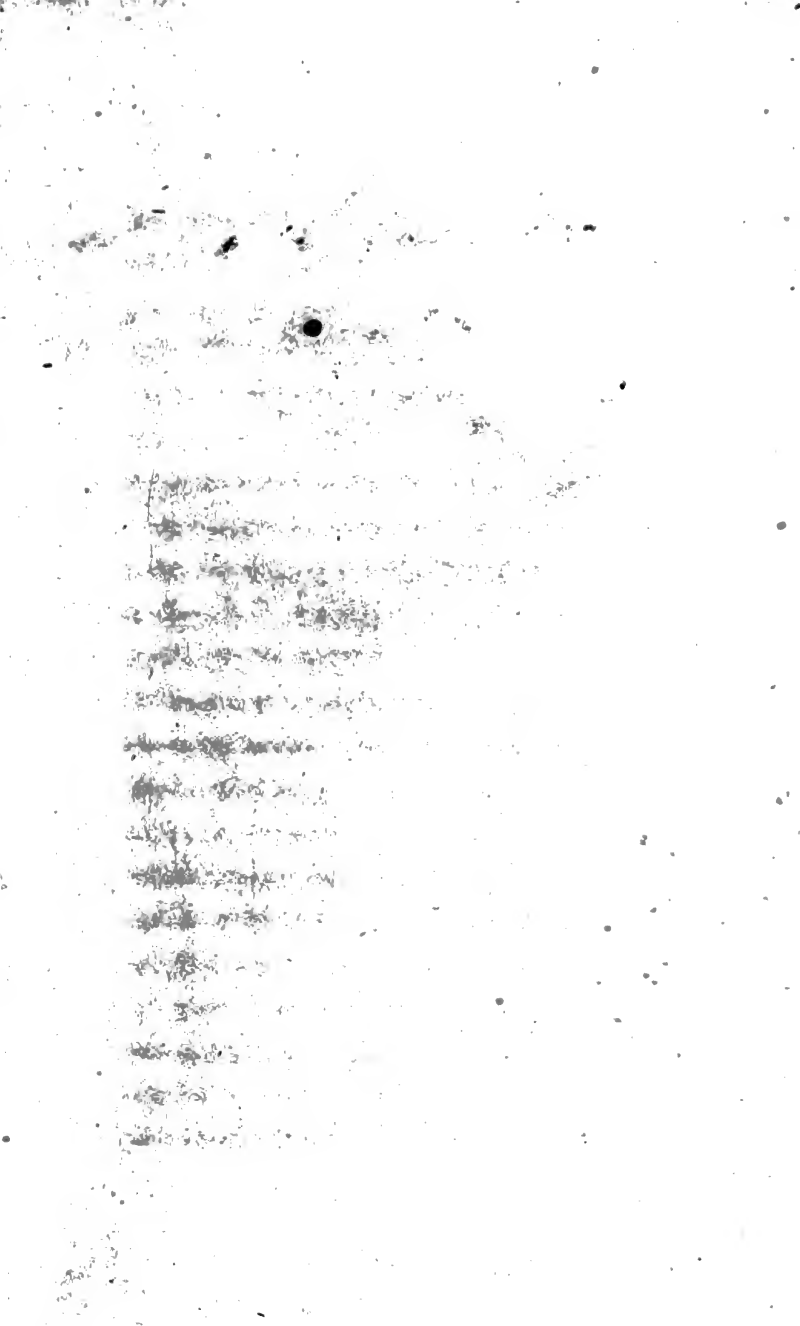
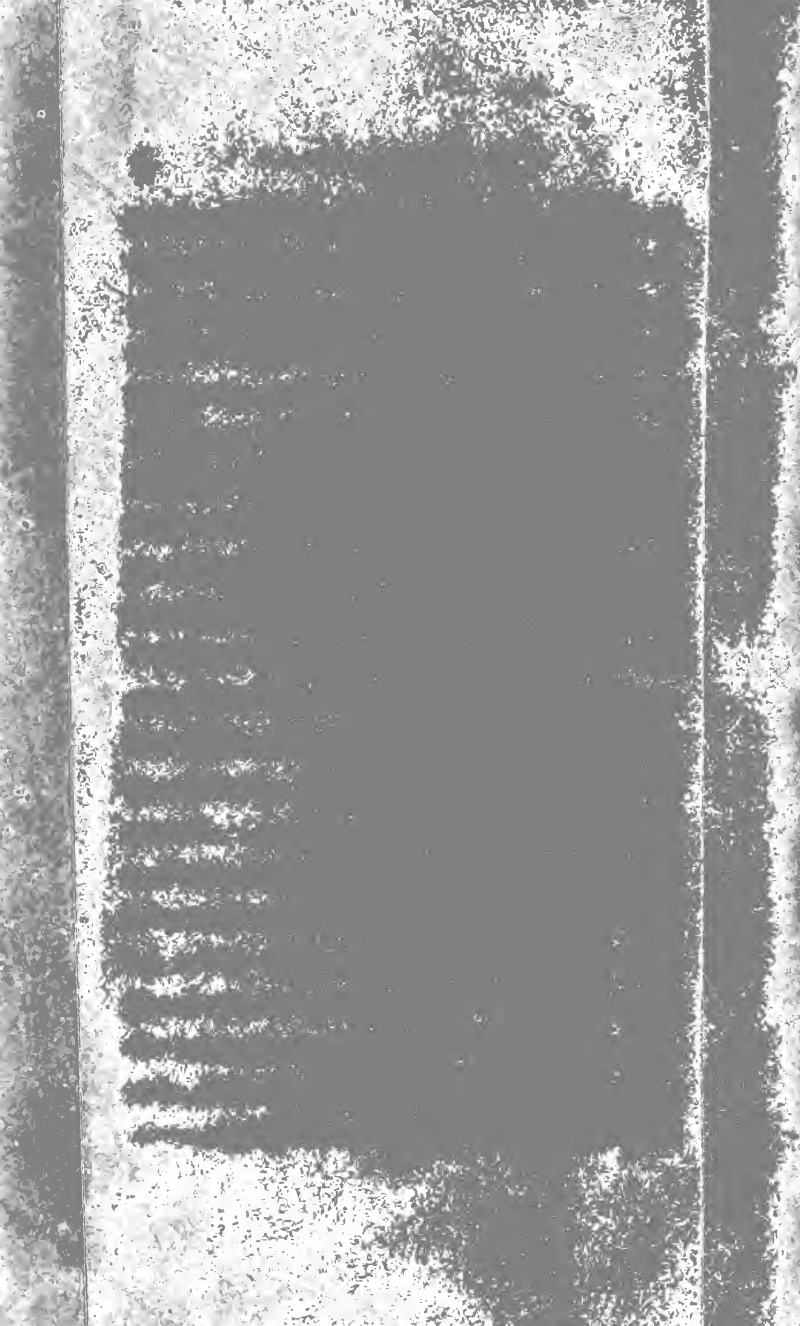




Read P.P.S. Ten Branch -
with the strength of the
Author. —

For W.P. Van Dine -
with the receipt of the
money -





THE
VICTIM OF CHANCERY:

OR

A DEBTOR'S EXPERIENCE.

BY THE AUTHOR OF "A WEEK IN WALL STREET."

Frederick Jackson.

"Why, what a bright and fearless brow is here !
Is this man guilty ? Look on him, Montalban !"

NEW-YORK :

1841.

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P R E F A C E .

IN appearing before the public as the writer of story, the author, as in a former publication, disavows all ambition to mingle with the literary world, in which he knows and feels himself to be unqualified to hold a position.

These pages, like the former also, have been written during unemployed hours, when the writer could not conveniently find other or more profitable occupation for himself:—but in submitting them for publication, he feels, that he has touched upon a subject which deeply interests the whole country. Pity it is that it should rest in so feeble hands.

Our literary men, who are writers of story (which unhappily, in these days, constitutes the majority of reading,) seem disposed to roam altogether in the fields of fancy, instead of taking up those sub-

jects in which our interest and daily occupations are engaged ; and thus by embellishing fact with the liveliness of their fancy, to make their works not only *interesting*, but productive of real benefit in the ordinary occupations of life ; and there are many who believe, that if a greater portion of their talents were thus directed, their efforts would result in a more complete success, if possible, than at present.

While, therefore, the writer makes no attempt at competition with them for the prize of distinction, he feels justified in putting forth this publication, as one, which, if read, understood and applied, is calculated to correct opinions and abuses, of which all, even those who have not suffered by them, loudly complain.

If this book has any merit in the mind of the author, it is this ; that, the characters delineated are real, and the circumstances detailed are true, and no other liberty has been taken with truth, so far as the material facts are concerned, than to combine in single characters, the sufferings, hardships, and privations resulting from the arbitrary exercise of chan-

cery powers, rules and practice, of several individuals on one side, and the cruelty, oppression and villainy of lawyers and men of business on the other ; while he hopes that by the introduction of characters which relieve the dark shades of the picture, he has not laid himself open to the charge of bitterness or malevolence.

In asserting the truth of the narrative, (for it is nothing more,) the writer would also qualify by saying, that no further attempt at ornament has been made than seemed to him necessary, to make a story of facts readable by such as look principally to amusement ; and by introducing the ladies, who are oftentimes the greatest sufferers, he hopes to enlist their feelings and sentiments in the correction of abuses, which has been attempted in vain, and will be attempted in vain, while the interests of such a body of lawyers, unchecked by public opinion, are enlisted in favor of their continuance. The book is not written for lawyers' criticism. To have followed them any more closely, or to have made it any more technical, would have marred our

story, and it is the effect and not the form of practice which the author has attempted to delineate.

To treat so grave a subject in the form of a story, (perhaps they will call it a novel,) will undoubtedly meet the censure, and perhaps the contempt of those grave gentlemen, who consider legislative discussion, or newspaper argument, the only legitimate ground to meet it on ; but their interests are too nearly allied to the present condition of things—they are not the men whom we seek as readers, and we neither court their favor nor shun their opinion. We admit their capacity to judge, and their disposition to do ; but their opinions, arrayed against interest, have already proved futile in the correction of the abuses of which we complain. And why ? For the want of a more general enlistment of public opinion and sympathy in the matter, and for the want of a more general distribution of knowledge, beyond the circle of the “ victims ” of the *particular hardships*, and unequal operation of chancery practice and proceedings.

Our prison doors, thank God, are now shut

against the incarceration of a man for *debt merely* ; but without the passage of a bankrupt act, and while the court of chancery exists in its present form and its present rules of practice, it is in the power of malicious men, and heartless creditors, as effectually to imprison a man's energies, as if his body was inclosed within the walls of a prison.

If but one step of progress towards the desired end is accomplished by his book, the writer will think himself compensated for his trouble, which indeed he has already been, by the occupation which the writing has afforded him.



THE
VICTIM OF CHANCERY,
OR
A DEBTOR'S EXPERIENCE.

CHAPTER I.

In which the author gives his own opinions, lays down rules, and makes sundry inferences, with reflections, moral and philosophical; but, all which, the reader may omit without prejudice to the story.

GREAT revolutions are not always confined to affairs of government, or controlled by the march of armies. Whatever changes entirely the circumstances, condition or character of a community, a class, or even a family, is as emphatically a revolution, as the assumption of a crown, or dissolving a republic; and not unfrequently it is the case that, the smaller the circle, the more it is fraught with

consequences to those included in it. We have seen a nation change its government, without affecting the peace or prosperity of a single individual, farther than to raise one king to the throne, and drive another from his country ; and in this respect, its importance to the happiness and well-being of mankind, was a thing of far less consequence, than the commercial revolution of 1837 was, to the people of this country. It is not necessary, in order to form a just and proper estimate of it, that we should search for its causes ; nor is it needful that we should indulge in speculation about the healthful or unhealthful condition of things before it came ; the fact and its consequences, are all that, in this case, we need to consider, and leave the other matters, to be examined and explained by political and moral economists.

Intelligence and virtue are the basis of individual and national happiness ; and whenever any thing occurs in the history of a nation, or an individual, which touches the springs of either of these primary causes of happiness, it inevitably leads to consequences, destructive of them all ; and of this character a commercial revolution partakes in no small degree. By disturbing the affairs of many from flowing in their usual channel, it opens the way for advantage to be taken of their necessities ; or per-

haps, they are tempted to take advantage of circumstances, to the injury of others. By unsettling the minds of some, it leads to a vacillating purpose, or to some dishonourable shift to sustain their position. By disappointing the hopes of others, it strikes a blow at their energies, and after a few short struggles, they yield to the influence of despondency ; and just in proportion as that, or any other cause, breaks in upon the steady pursuits of life, it opens the way for the neglect of education, and the introduction of licentious principles. But it is not in these general points of view, that we intend to contemplate the effects of a "commercial revolution." We intend to bring it nearer home, by coming down to individual circumstances ; and, if we are able, to show up, and show off character, as we have seen it, and felt it, by a picture, so true to life, that despite the general disposition of mankind not to perceive their own deformity, the *parties* shall know themselves.

Ideal virtue, may excite our love and admiration while we are reading about it, and villany may stir up our indignation and horror ; but, when we have laid the record of them on the shelf, they pass from our minds, and are remembered only as pleasing or terrific illusions of the fancy. But, when we contemplate them and their effects under strong temptation and excitement, as things that have been and

will be again—as matters of daily occurrence, that have happened to others, and may happen to us, it is our own fault, if we are not made wiser and better by the perusal.

The strongest passions and emotions of which the human mind is capable, and the highest exercise of firmness and virtue, are things of more common occurrence in the every-day concerns of life, than we at first imagine : and the resemblance between ourselves, and those ideal beings, which have so often been painted by the hands of masters and with the colours of an artist, is stronger than we are apt to suppose ; only, we too often lose the application of character in our admiration of the fine tracery, which the imagination of the artist has supplied.

It is to give the true colouring to some of these every-day characters, in the common affairs of life, but with no ambitious views of acquiring the fame of an artist, that these pages are written ; and although they may never meet the eye of other mortal than myself, I shall have the pleasure of giving outline to some of the confused images now before me, and the satisfaction too, of measuring the length and breadth of some of them, who perhaps have never deemed themselves worthy of such pencilings.

“The proper study of mankind is man,” and that

time is not lost, which is spent in examining our own, or studying the characters of others.

The lives of all men are made up of trifling actions, each one of which has an influence, in giving birth, colour and proportion, to the other ; and every one of them is of as much importance to the production of the next, as a single moment is to the continuance of time. Strike out of existence but a single minute, and time is annihilated forever ; no power, short of a new creation, could ever produce a future.—Strike from existence a single action, or thought, of a man's life, and the chain is broken—substitute another in its stead and his course is altered forever. But men are not therefore deprived of the mastery of their own actions.—The existence of this truth only shows us, of what atoms the mind and character are formed, and of how much importance each is to sustain a just balance of the whole.

But why do I write these things ? Are they not vagaries of mind, incoherent to the subject I started upon ? No, they are but the record of thoughts as they flow, and which my pen involuntarily traces. They are apt to my purpose of examining and describing character, and they go far to prove my position—that there is less difference between great virtues and small, great vices and little ones, those who are celebrated and those who are not, than the world generally allows.

But what if they are vagaries ? I am not confined to the necessity of measuring a square or describing a circle. I write for my own amusement, not to please others, and my thoughts and my pen may run to church or to holiday as they please. If others like not my wanderings they can lay the book down here.

CHAPTER II.

In which the author decides what his book shall be about.

I BEGAN the last chapter as every one should begin a journey, in sober seriousness; but I have cut it short so soon, and so abruptly, that it is plain I soon grow weary of restraint.

I have set out on a short excursion for my own pleasure, and I will not fall into melancholy by soberly traversing a level plain. I love as often as the spirit prompts to break from a sober trot, into a brisk ambling over the hills, and by an occasional halloo to frighten a hare, or make a dash off in pursuit of a fox that has crossed my path; and if I plunge now and then into a slough, I shall be all the better for experience, when I get out of it. But which way lies the best path? Where shall I choose? Whither shall I go? My business is only, with the common affairs of life—with every-day concerns; and what is worse, it lies only with the dull routine of Merchandise, Commerce, Trade, Law, Lawyers and Merchants, and I am to weave a story of *truth*, from *facts*, within my own knowledge, observation,

aye, experience ; and out of them to mould and polish a mirror, in which men may see themselves—aye, and some of them may read a scrap of their own identical history.

Shall I be content to enter the abode of wealth and luxurious ease, the fruit of a father's toil, and perhaps the inheritance of a fool ; where indolence begets ignorance, and luxury vice, and in the enjoyment of what is within, the world without is all forgotten except to join in its follies ? Or, shall I follow *this* man to his splendid mansion, and trace the devious way by which he first reached the title to call it his own ; and the means by which he has furnished it with costly magnificence, at the expense of the poorly paid artificer and artist ? Shall I sketch its inmates, with the iron grasp of power laid on the shoulder of the poor, and the serpent cunning which strikes its fangs into whoever and whatever may pass in its way ?

Shall I hold up to view, and to scorn, the pride, the ignorance, the avarice, the selfishness, the crime, that lurk in the secret chambers of their hearts ? Or, shall I contrast the display of wealth with the poverty of affection, virtue, and religion, that are found there ? No ; for this path, which to the first prospect lies so green and verdant before me, leads only to satiety, sickness and disgust.

Shall I search out the virtuous, the honest and pure minded, and picture to myself the unadorned excellence of simplicity and truth? Shall I visit the unfortunate and the poor in his calamity, and draw from his sufferings lessons of prudence and virtue? Shall I scan the dark thoughts of him, whose plotting brain seeks only his own advancement, no matter by what means, or by whose suffering it is attained? Or, shall I visit the abodes of misery and the prison house of crime, to draw from thence a tale of wo, that will tell us the history, not only of the victims, but of the victors?

All these I have seen and known; and taking a fibre from each, I will unite them all in the thread of a story, which, spite of my erratic course, will be recognised and acknowledged.

CHAPTER III.

I know the wretch, and scorn him as thou hat'st him.

OTWAY.

NOVELISTS have one great advantage over every other class of writers. A student in the office of the late lamented Mr. Emmett once informed me that the celebrated Aaron Burr, being once employed as associate counsel with him, the former asked Burr, "What can this man swear to?" to which Burr replied, "Never mind that, do you draw a bill to suit the case, and I will see that he swears to it." So also the novelist has, by common consent, obtained the license to draw his characters to suit his subject, or vice versa, to accommodate his subject to his characters; while we, whose duty it is to record nothing but the dull detail of truth, have no liberty to ornament our pages by any occasional flourishes of rhetoric, nor even to indulge in the playfulness of our own imagination.—Not that novelists are, therefore, any the less to be believed; there being no more probability of their saying what is not true, than there is that the high-souled Irishman obeyed the dictum of his associate, in en-

deavouring to reach the intricate points of law necessary to establish his case. It is undoubtedly the duty, therefore, of all readers, to receive as gospel whatever they may choose to write ; but there is another necessity which grows out of these circumstances, to wit : nobody must tell the truth about *them*, the authority of the editor of the Courier and Enquirer to the contrary notwithstanding ; otherwise what would become of the great luminary of the north ? His light would be extinguished forever—he would be stricken out of existence, and pass at once into annihilation : and as the lawyers say that the greater the truth, the greater the libel ; let no man, therefore, henceforth presume to speak it of any writer of novels, if he would save his friends the trouble of grappling for his body in the Otsego lake, or the expense of a habeas corpus, to relieve his mortal part from the durance of a prison ; it being now settled by those learned in the law, that whoever is guilty of such incontinence of tongue or pen, shall either be drowned in the said lake, or have his pocket picked and be sent to prison or to Texas, all for the benefit of the rising generation of Effinghams.

I only mention these things, by way of illustrating the difficulty which we, as historians and moralists, have to encounter ; for we are not only restricted from all license of speech or figure, but the

whole world may criticise and abuse us at their pleasure, without any of the satisfaction being afforded us, and especially of the pocket picking, that is awarded to our contemporaries. And we have taken occasion also to mention this family of the Effinghams, concerning whom, as we have seen, the statute regards the truth as always a libel, only because that, in this respect, they stand ever before the family of lawyers, with whom our business in this chapter principally is. But as we feel sure that some of our readers will desire to know more about them, and as it is a part of our duty to gratify all laudable curiosity, we will give the characteristics of the family, in such general terms, as will enable the curious observer to distinguish them, when not in masquerade.

They are of the fungus species ; that is, they have more outside than inside ;—they spring up in a night, and flourish for a day, and their first introduction to the world is always the most imposing. It embraces all those writers of novels who make themselves the hero of their own story, and being ashamed of their egotism, deny their own portrait of themselves ; or, perhaps it is, that becoming ashamed of the original, by a comparison with the picture, they wish to escape criticism. It embraces all those, also, who, insensible to the value

of virtue in a plain garb, or beauty unadorned, seek the gratification of their perverted tastes in playing second fiddle to the puppets of fashion in the old world ; and fancy, because their abuse of their own country gratifies those whose notice they court, that they are therefore received as oracles of wisdom ; and models of good taste. We shall hereafter give a scrap from the unpublished memoirs of one of them, whom we have no doubt our readers will recognise as one of the most conspicuous of the family ; but for the present, it is time that we should return to the proper subject of this chapter.

We hardly know how we shall get along in this matter, inasmuch as the same difficulty in regard to the statute, that exists with the Effinghams, also exists with regard to the lawyers ; with only this difference, that in the court, and at the bar, they are allowed to tell the truth of each other ; it being held a rule there, as in congress, that " no man shall be held accountable elsewhere for what is said in debate." Such liberty is also necessary for the administration of justice, because when a lawyer is engaged in a bad cause, where no argument can be drawn from the evidence in favour of his client, he has no remedy left but to abuse the opposite counsel ; and the fun is generally relished by them both, because they know it to be true, and he who ad-

ministers the scourge, expects in his turn to get a flagellation.

Lawyers also possess another liberty in court, which is very properly denied by the statute to all others. They may not only tell the truth of their own fraternity, but they may reverse the position, and say any thing they please of the litigants or witnesses who come there. And it often happens that the most modest and virtuous man in the world, when compelled to show his face in court, will get such a pummelling of words for the amusement of the court and bystanders, as, if attempted out of doors, his persecutor would probably take to his heels, before he got half through.

The necessity of granting these liberties will be clearly perceived, when it is understood, that, as the lawyers sometimes know more than the judges themselves, if such opportunity were not given them for the gratification of their pugilistic propensities, they might offend the dignity of the court, by sometimes turning upon them. They also serve a good purpose, by enlivening the minds of the court, to dissipate the prejudice which a rigid adherence to points of law, might sometimes create against innocent and honest men.

That we may not be supposed in this sketch, to make a fling at all lawyers, we will set out with

such a distinction of classes among them, as will point the reader to those here meant.

First, there is the Counsellor, a man of a good deal of experience and learning, and as much probity as his profession will allow one to carry about him ; and although we must confess that, in his business, his tender mercies partake largely of the character of a hospital surgeon, yet at home, in his social relations, in his commerce with society, and even in giving advice to a client, he is equally conspicuous for his strength of character, good sense and honesty ; and of course, the proper person through whom to seek justice when beset with difficulty ; but in this sketch we have nothing to do with *him*.

Next there is the "Solicitor," which embraces a wider range of character, beginning at the head and running through all grades of mental, moral and physical power ; from a steam engine in full blast, down to a cracked earthen tea-pot.

Then comes the Pettifogger, whose name, expressing his disposition and sole capacity, to raise a little fog in whatever he undertakes, demands no farther description from us. And, lastly, come the Quirk Gammon and Snaps of Wall-street, a distinct species, intermediate between the two extremes of all the former, and bearing the same affinity to each that a certain long-eared animal does to his progeni-

tors ; having all his stubbornness without any of his stupidity.

Of this latter class was Mr. Gouge, who, although but the junior partner in the semi-respectable firm of Gammon & Gouge, comes first to our notice from the nature of his employment ; which, however strictly legal it might have been, was of that equivocal character in morals, which seeks out the distresses of the unfortunate, and visits the haunts and purlieus of crime, not with any philanthropic view to relieve the one, or to amend the other ; but, some exertions being necessary, to make up the deficiency of the entries on the docket of the firm of Gammon & Gouge for plaintiff or for defendant, through the voluntary and proffered employment of either of these last mentioned necessary contingencies of the introduction of a case into court, it became the duty of Mr. Gouge, as the junior partner of the concern, to procure such entries to be made, through the best means which might present themselves.

It is not necessary for our present purpose, to follow Mr. Gouge in his examinations of the police entries and commitments, nor to go with him to the cells in the Tombs, and mark the eagerness and cunning with which he endeavours to get at the true state of the prisoner's case, and especially that most important part of it, to wit ; whether the culprit

has got money to pay for his defence, before he offers the services of Gammon & Gouge for that purpose. Nor, will we follow him in his nightly perambulations in those parts of the city where vice stalks forth unblushingly even in the day-time;—we shall sooner and better reach his character, by here introducing to the reader a new one.

Mr. — Adams was a gentleman just passed the middle age of life, but at that period, when, if in good health, the body and mind are in their highest condition of vigour and power of usefulness—when, unless subdued by misfortune, the spirits have lost none of their elasticity—when the mind is still open to all the sensitiveness of earlier years—but with the advantage of a better judgment to soften its effects.

Mr. Adams had been, for nearly twenty years, a merchant in the city of New-York, of respectable standing. He was early married, and, as one of the natural consequences of such connection, he had a numerous and youthful family.—His course, for many years, was one of steady application to his business, and as a fruit of it, he and his family long enjoyed an uninterrupted condition of easy, quiet and comfortable competence, such as all admit contributes most to real happiness; while at the same time, being alike removed from the inconvenience of want, the necessity of labour, and the dissipations of fash-

ion, it affords the best opportunity for men to know themselves, and each other.

But there is no condition of life exempt from vicissitude, however securely we may think the foundations of our happiness are laid ; there is but one portion of it, that which proceeds from virtue, that is immutable ; and Mr. Adams was one among the great number who in the year 1837 were fated, by means not within their control, to meet a reverse in their worldly circumstances.

It is not necessary for our object to enter into a detail of particulars how this happened ; those acquainted with the sinuosities of a merchant's fortune in business, will easily understand it ; while a particular detail would be uninteresting to the general reader. It may, however, with great propriety be said that, the common resort of writers of fiction, to ascribe reverses of fortune always to some one important act of unfaithfulness, or some great calamity, like the perfidy of some oft obliged friend, a conflagration, or the wreck of a ship at sea, affords but a feeble picture of the intricate windings and final mesh of entanglement, which usually lead to such a result ; and which the natural circumstances attending what is related in the following chapters, will sufficiently explain, both to prove and illustrate what we have said. For the present, therefore, we only arrive at

the fact that the time did come when Mr. Adams, like many others, found himself in embarrassment.

The office of Messrs. Gammon & Gouge, as has already been hinted, was not one of those much resorted to by merchants or others, for aid or advice in the determination or settlement of great questions of law. Not that those gentlemen were without merchants and men of business as clients; but the manner of procuring them, was somewhat different from that of the respectable counsellor before spoken of; and if we accompany Mr. Gouge back to his own office, from a visit to that of the clerks of the Common Pleas and Superior Courts, where he had been to examine and see what judgments had been there recorded which they had no hand in procuring, we shall make one step onward in the discovery of the means by which such desirable ends as an entry on the docket were reached.

As the description of a second or third-rate lawyer's office would afford no very interesting topics to dilate upon, and especially as our business is with the men, and not with their offices, in spite of the example of all contemporaries, we will pass entirely over this very fair opportunity of sprinkling our composition with an abundance of words without meaning or use; and if any one feels himself hurt, by such disrespect shown to all precedent, and espe-

cially to his own example in the matter ; we come at once to his relief with the consoling admission, that we possess no such exuberance of talent, powers of description, or fund of fine sentences at command, as requires an escape valve to let them off ; and must therefore content ourselves to let the reader rest in ignorance of the dusty shelves and spiders' webs that were seen in the office of Messrs. Gammon & Gouge ; notwithstanding that the latter might afford us room for some playfulness and reflection, in drawing a parallel of the manner in which the two weave the meshes of their guileful net, and wait the moment when they may entangle their unsuspecting prey within them.

It was in the morning of a day in February 1837, that Mr. Gouge returned to his office from a visit to those of the clerks of the courts before named ; and after placing his outer garment on a peg behind the door, laying aside his hat and gloves, and warming his feet and hands by a glowing grate of Schuylkill, when his muscles had become relaxed from the rigid influence of the cold without, his partner Mr. Gammon perceived, by the thoughtfulness of his brow, and the archness of an embryo smile on his lips, that he had that morning met with more than his usual success. At least, the hope at once dawned upon his own mind, that some discovery had been

made, which, with the usual appliances of art, could be turned to their own profit.

Mr. Gammon knew his partner well, and perhaps it is not too soon now to say that he had taken him into business with him, not so much on account of his legal talents or learning, as on account of the particular adaptedness of his disposition and character, to answer the ends of his private and pecuniary interest.

Mr. Gammon himself was not unknown to the community. He first came to this city when a very young man, and established himself as a lawyer. His practice for some years was confined wholly to the Police and Justices' Courts—the necessity for such circumscribed action arising from the fact, that, previous to his "*entre*" into the arena of dispute for the honours of legal distinction, his law reading had been confined to one volume of Coke upon Lyttleton, one of Blackstone's Commentaries, and two volumes of Vermont Reports.

As an introduction to society he brought along with him the diploma of an A. M.; but as he could not remember under whose tutorship he had earned his academical honours, it was suspected that this evidence of his scholarship might have undergone a trifling alteration of date and once belonged to his father, who had been a clergyman, of the same

name, and had in his lifetime held the honours of Yale ; and that this latter branch of the Gammon family, the subject of the present remarks, either through the misfortune of early losing his parent, or the less blamable one of some peccadilloes at school, had never really earned or received such evidence of mental culture.

But whatever may have been the foundation for such uncharitable belief, there is good reason to suppose, that these little departures from the rules of propriety were but the indiscretions of youth, and that time, and a riper judgment, taught him to rest his hopes of distinction on some more permanent basis ; and accordingly we find that, at the time of which we are writing, to wit, in the year of our Lord 1837, he enjoyed the respectable standing of a member of the New-York Bar, and with a practice in all the courts : to which respectable position in society he had no doubt arrived by assiduous attention to the *necessary* means of reaching it.—We should not have recurred here to these circumstances of his earlier life, but as it was necessary to enlighten our readers a little into his character ; and recollecting that “ just as the twig is bent the tree’s inclined,” we thought, perhaps, the reader would make such application of these remarks as would reach the point by a shorter route, than a long description from us.

With this knowledge of the character of Mr. Gammon, and the explanation before given of the motives which induced the partnership of Gammon & Gouge, we are not to suppose that the confidence between the two was of that character, to induce unreserved communication from one to the other of all the motives which actuated each. Mr. Gammon felt this, and he moreover knew and felt that in the selection of Mr. Gouge for a partner, he had been governed by those qualities of mind and disposition in him, which can only be made tributary to whatever is for their own interest. Mr. Gouge had fully answered all his expectations in activity and application to business, but as might be expected, and as a natural consequence of his other qualifications, he saw within him a spirit of cunning, and a degree of selfishness, that would not hesitate to turn against *him*, whenever he could best gratify his ruling passion of avarice by doing so. In short, Mr. Gammon had already begun to fear that the ambition of his partner, who was yet a very young man, might ere long supplant him in business; and therefore, while he determined still to make the best use of him which he could, he watched all his motions with jealousy; while Mr. Gouge, not insensible to his position, embraced every opportunity to improve circumstances to his advantage. And here we must leave them for

a while, consulting on the discoveries made that morning by Mr. Gouge, while we bring up another subject, and other characters, which are necessary to the right progress of our story.

CHAPTER IV.

" On every side the curling flames ascend ;
Heavy and thick the smoky volumes rise,
And shade with sable clouds the starry skies ;
Flash follows flash, the mingled blaze aspires,
'Till all the ether glows with ruddy fires !"
Tasso's Jerusalem Delivered.

THE night of 15th of December, 1835, will long be remembered by the inhabitants of this city and country. When fifty years more shall lie buried in the shadows of the past, those who have then numbered three score and ten, will tell to the wondering ears of youth, how on that night the destroying flame mocked the impotence of man : and when centuries have fulfilled their circles, millions will read, on the page of history, the terrible events of that night. But if the appalling and terrible events of the night were worthy of a record in the annals of time, there was yet one more spectacle, no less worthy to go down to posterity, on the fairest page of history and romance. There are events in life and things in nature, which no skill of pencil can trace, or eloquence of pen describe—none who come

after us, can ever form an idea of the spectacle of the great fire, from representations on canvass ; nor can any language ever convey a just description of the moral spectacle that followed ;—only he who witnessed the one, could ever feel the other. When the sun rose on the following morning, it looked on the destruction of twenty-five millions of property—a thousand merchants driven from shelter and from business, while all their hopes seemed evaporating in the thick black cloud of smoke, that still went upward, darkening the heavens with its gloom. At one o'clock these merchants, who had been accustomed to meet in the lofty rooms of the Exchange, were seen hovering together at the corner of Broad and Wall-street, covered with the ashes of their now prostrate warehouses, chilled with the cold, and dismay pictured upon their countenances. But once together again, the word went round, “Cheer up, cheer up, by God’s blessing we are all here, and who will not hope while his life is spared ?” and a thousand hearts vibrated to the sound. Hope lit up her smile again, a thousand hands were grasped, and the word again went round, “We are merchants—we are men—we are brothers, and nothing shall discourage us while we can help one another.”

Suffering was at once forgotten in the common sympathy, and for one hour, the merchants of New-

York *were* a band of brothers; and how nobly did that spectacle speak for human nature! would to God it were not in my power to leave this picture, and follow some of them into the labyrinth of their own hearts.

Among the crowd so assembled was Mr. Heartless, whose voice of encouragement was heard distinctly above the rest; and his eyes kindled, and his face beamed with pleasure, when he heard the pledge of mutual support given. Mr. Heartless was not one of those whose property had been destroyed; but he was a man of large business, and saw many of his debtors there, who had lost their all, among whom was Mr. Adams; and hence it was, that the pledge of mutual help gave him joy.

Mr. Adams had as much courage in difficulty as any man living, and although afflicted, he was not cast down. His friends at home and abroad came at once to his relief, by such loans as, with temporary extension from his creditors, enabled him to continue his business; and Mr. Heartless was one of those whose debt was extended. But the following year, the year of the "commercial revolution," proving a very disastrous one, Mr. Adams was obliged to suspend business, and, considering the loans made to aid him after the time of the fire as entirely con-

fidential, his first act was, to secure and pay them, which gave great offence to Mr. Heartless ; who, immediately on the maturity of his demand, commenced a suit, and obtained a judgment in his favour. It was the existence of this judgment, and an execution thereon returned and endorsed by the sheriff, that Mr. Gouge had discovered on the morning spoken of in the last chapter, where we left Messrs. Gammon & Gouge consulting in their office. Mr. Gouge had moreover seen Mr. Heartless, and made an agreement with him, to undertake the collection of his debt against Mr. Adams, and to receive one half of whatever he might get, for his own compensation. And the secret of his reserve towards his partner on the morning spoken of, consisted of a debate then going on in his own mind, whether he would say any thing to his partner about the terms of the agreement, or keep the whole to himself, and run the risk of being obliged to pay his partner his share of the cost incurred. This discovery may seem a trifle in itself, but when it is remembered that by searching out such things, and soliciting the management of them, Messrs. Gammon & Gouge obtained the best part of their business, its importance to them will be sufficiently manifest ; and by a reference to the principle on which we first started,

“that every event in a man's life is a link in the chain necessary to its continuance,” the reason for this particularity of detail will be evident also.

Returning now to the office of Messrs. Gammon & Gouge, we shall learn from what passed there, what were the circumstances that excited the avarice of Mr. Gouge, and the hopes of his partner, in relation to the suit about to be commenced against Mr. Adams. When Mr. Gouge had sufficiently warmed himself, and collected his thoughts, to trust his ability in answering the prying inquiries of his partner, in such a way as would answer his purpose in any future exigency, he proceeded to relate his discovery of the judgment, and his interview with Mr. Heartless; leaving out all those parts of it which touched on the *terms* on which the suit was to be commenced. His motive for this had been stimulated by his interview with Mr. Heartless, who had given him to understand, that there were other debts against Mr. Adams, which he could command for a trifle, in case of success in the collection or security of this. He had also hinted to him, that Mr. Adams' wife was in possession of a little property, received from her deceased father's estate—that she had already surrendered one half of it, to prevent her husband from failing, and that, perhaps, her regard for him would induce her to pay more, rather

than see him held in perpetual suspense of the law.

These hints at once opened the eyes of Mr. Gouge to a brilliant prospect before him. He thought that, perhaps, if nothing could be got of Mr. Adams, if he should be found really to be an honest man, and to have given up all he had to his creditors, still, there was a resource in his wife—perhaps the settlement might not be legal—at least it may have been informal. People who think nothing but what is right, are apt to be careless in protecting themselves from wrong. And he saw the snug little property of Mrs. Adams, floating before his mind's eye, in the shape of a decision at law, or a decree in chancery; wherein, having first secured the assignment of the debts against Mr. Adams to himself, for a small consideration, he would appear only as attorney, while he clutched all the proceeds. His avarice was not alone in exciting his ambition. If he succeeded, he would gain reputation as a shrewd and perhaps a profound lawyer, and hereafter rise to distinction at the bar—and then, perhaps, he would get his name enrolled in the senate, and step by step in imagination, his ambition rose higher and higher in anticipation of his success, in the case of “Gouge, Attorney for Plaintiff, versus Adams.” Alas! how many

lawyers have thus made their first step towards advancement in life, by the distresses which their technical knowledge or innate cunning has brought upon others.

At any rate Mr. Gouge thought that the fears of Mrs. Adams might be operated upon, to wring something from her. Ladies are commonly ignorant of law, and they have an especial horror of being brought before the courts, even when necessary to sustain their own rights. The dignified title of chancellor, or the paraphernalia of a judge and jury, at once confuses them, and they may easily be made to contradict themselves. People will always contrive to pay something to get out of the hands of a lawyer, and he would therefore be quite safe in taking up the pursuit of Mrs. Adams' property ; because, if he could do no better, he could at least get the law expences out of her, in the shape of a compromise to discontinue proceedings, and that would be so much profit in *his* own pocket. And even under this unfavourable view of the case he felt no discouragement ; for he thought, if he could succeed once, it would afford inducement to offer his services to others, and try again.

All these things were revolved in the mind of Mr. Gouge, in less time than we have taken to de-

scribe them. But men sometimes overcalculate, when they underrate the powers of women.

After this view of the interior of Mr. G.'s mind, we shall not be surprised to find him chary of words in answer to his partner's inquiries.

Mr. Gammon, who, as we have said, knew his partner well, soon perceived in the course of conversation with him, that he held some secret beneath his reserve ; and aware that it would be useless, at present, to attempt to fathom it, was fain to console himself with the prospect of a new client ; and immediately set about advising with his partner, as to the best mode of reaching Mr. Adams' property ; or rather, the best way of so bringing him under the lash of the law, as would compell him to purchase his release by some means, whether he had any property or not, even if he did it by wronging others. But men are too apt to make themselves the standard, by which to judge of others, and in this case they again overcalculated ; for Mr. Adams, even in distress, was yet firm in his integrity and his purpose.

" I think," said Mr. Gammon, " the best way of reaching him will be immediately to '*file a creditor's bill of discovery*,' and, although we do not positively know of any property of his, *there is no harm*

in making affidavit that he has some !! You will have no objection to *that*, Mr. Gouge, and I will immediately '*draw a bill to suit the case ;*' for without making affidavit, you know, we cannot obtain an '*injunction ;*' and without an injunction he would have time to put away any property he may accidentally have in his hands, which would foil our success. Mr. Adams, I think, is a man who would not violate an '*injunction ;*' and by that means, and by offering to produce proof against '*his answer,*' we can lock up any property he may chance to have in his hands, *whoever it may belong to !!* at least, we can embarrass him so much, and so long, that he will be glad to *pay costs for a release ;* and it will be his look out, whether the *money is his own or not*. Or, in case the '*discovery*' should seem to favour such a plan—if he should be found to have a small amount of funds in his hands—by a little liberality on our part, he might be tempted to part with them prematurely—that would be a violation of '*injunction,*' and '*a contempt of court,*' you know, and the penalties for these are so severe, that we should then have him in our power. *Do you see that the needful is sworn to, and I will draw the bill."*

For the information of those who have never made such things their study, or who have been so

fortunate as to escape all experience in such matters, it is proper here to say, that, when an injunction is served on a debtor, on the filing of what is termed "a creditor's bill in chancery," the debtor is deprived of the right to part with a dollar in money, or a dollar's worth of any thing he may have in his possession, until the said injunction is removed, and it is sometimes held over him for years. The law does not provide him with the liberty even to buy bread for his family ; and if he does so, he is subject to the tender mercies of the court, to say how much he may reasonably eat. Any violation of such injunction is punishable with fine and imprisonment ; and the attorney for the plaintiff may call the debtor up, and examine him on this point before a "master in chancery," as often as he pleases, and compell him, on his own oath, to give *evidence against himself*, contrary to all rule of law and justice in criminal cases. And this is but one of the many innovations upon all rules of justice, which the chancellor of this state, in his stretch of equity powers has seen fit to establish. As the reader is now prepared to understand in what situation Mr. Adams and his family were placed by the suit in chancery of "Heartless versus Adams," "Gouge Attorney for Plaintiff and Gammon of Counsel"—we will here leave this part of the subject for another.

CHAPTER V.

————— Yes, there are sounds
Of revelry within the palaces
And the fair castles of our ancient lords,
Where now the stranger banquets. Ye may hear
From thence the peals of song and laughter rise
At midnight's deepest hour. HEMANS.

Good taste and refinement of manners, are ever the result of a good education or a fine mind. But in every city there are found apers of fashion,—persons who have sprung from a low condition in life, and, trusting to the influence of wealth alone, are incapable of understanding, that all their attempts at fashion but make their vulgarity more conspicuous.

A few evenings after the occurrence of events already related, in a fashionable part of the city of New-York, the lofty mansion which boasts Mr. ——— for its owner, was brilliantly illuminated, and the many hued reflections and refractions of light in those halls appeared to hold a contest with each other, whether the wealth or the taste of their owner should be most conspicuous.—Crimson tapestry vied with yellow walls,—dark polished mahogany with

bright cushioned sofas,—silver vases with gilt candelabras. An elegant but old-fashioned side-board occupied ten feet by three of one side of the room, regardless of its inconvenience to a “jam,” on purpose that a rich silver service might be displayed on its slab,—while, as representatives of the fine arts, a bronze bust of Napoleon crowned a pedestal in one corner ; an engraving of the British Queen reclined on one side of a beautiful mosaic centre-table, in compliment to the English “correspondents” who might be expected to grace the evening with their company ; and on the other edge of the table reposed an expensively bound annual, in token that the inmates of the mansion were not destitute of literature. The carpets of the rooms were the most dazzling to the eye, that contrast of colours could devise, and opposing mirrors multiplied the gorgeousness of the whole. The lady of the mansion was no less a model of beauty when “adorned.” In spite of the frosts of almost fifty winters, her locks shone resplendent with the beauty of Grand Jean, and but for the stubbornness of the crow’s tracks, which would yield to no persuasion, her countenance shone with the bloom and freshness of a sixteenth summer. If we imagine ourselves to have taken a peep into the interior of the mansion a little before nine o’clock on this evening, we shall discover this mas-

ter piece of the productions of nature and art, reclining listlessly on a damask covered sofa, and lost in admiration of the wealth, and its display, which surrounded her. The skill of the lapidary, the cunning workmanship of the jeweler, and the manufactories of every delicate fabric in France, England and the Indies, have all lent their contributions to complete her personal adornment. By her side we shall see, sitting on a low ottoman, a beautiful and blushing girl of seventeen, neatly attired, and whom no persuasion could induce to disfigure her natural beauty by attempts at superfluous ornament—whose pensive look, and the half-formed tear in her eye, gave signs that all was not to her mind.

The reader must not be kept in suspense, and we will therefore inform him at once, that this was no other than the daughter of Mr. and Mrs. ———, and the wealth of the father, if it never did any other good thing, had procured for Amelia, the benefit of an accomplished education.

Mrs. ——— was one of those matronly ladies, who always consult their better educated daughters in all matters of fashion, and then render them thrice unhappy by disregarding their tastes, except so far as to render confusion and awkwardness more complete, by mingling with everything some of their own vulgar notions.

Many and long had been the consultations in regard to the arrangements for this evening ; but, as every house is in duty bound to do, this house acknowledged a mistress ; and if perchance any of its junior inmates held with tenacity to their own opinions, an appeal to its master settled the point for procedure. It will not therefore be understood that Miss —— had anything to do in the matter of arrangements for this evening, farther than to be well scolded for always thinking differently from her mother.

“ You know, my dear,” said Mrs. ——, “ that Mr. Gouge, the smart young-lawyer, will be here this evening ; your father says, he is a young man that promises great things—he is the *most shrewdest* lawyer of his age in the city !”—

“ If I am not deceived in the character of Mr. Gouge, mother, I think he would promise anything, which he thought for his interest.”

“ You always take up my words, Amelia, when I talk of Mr. Gouge,—it is really ill-natured of you. Your father has taken a great liking to him.”

“ Father certainly has a right to his preferences ; but I see no reason in that, why I should be first consulted, and then made unhappy, because Mr. Gouge is coming here.”

“ Well, my dear, the Heartlesses will be here, you know ; and they are very rich, and young Mr. Heartless will be heir to all the property, for the girls are provided for by their mother’s settlement ; and it would never do for us to look so mean, as to put every thing out of the rooms, and then cover up that beautiful table with a parcel of books and engravings. I wonder what you are thinking of, Amelia, when you propose such things.”

Amelia knew very well what she was thinking of, and she formed a pretty distinct guess of what her mother was thinking of, and she more than guessed what would be the effect of any reply she might make with sincerity. She was thinking of her friend Katharine Adams, whose presence at her side on all such occasions, she now missed ; and it was that, more than anything else, that produced the pensive look and half tearful eye, which shaded her usually bright features.

Contrary to Amelia’s earnest solicitation, the Adamses had been stricken from the list to be invited, and the potency of the reasons for so doing, could not be overcome by persuasion or tears.

“ You know, my dear,” said Mrs. ———, your father says, that Mr. Adams has failed out right, broken all to pieces, and he owes your father a

great deal of money. To be sure, we have nothing to fear, because your father has got all Mr. Adams' property in his hands ; but he says he would rather not visit with them any more. Besides, they are always so mean in the house, and so stuck up in their talk, that I can't bear them.—Only the last time she was here, I was telling that Katharine about my lace, and when I had done, she hadn't heard me, but asked what I was saying—she all the time looking at the drawings you left for her. I felt vexed that I gave them to her at all !”

Amelia ventured only one reply—that “she hoped her father did not intend otherwise than right by Mr. Adams ; for when people are unfortunate, they should not be oppressed.”

“To be sure not, my dear ; but then, charity begins at home.”

The announcement of a name put an end to the colloquy, and brought the rest of the family to the rooms where they should receive their guests. In the course of an hour the house was full. Amelia assumed her wonted cheerfulness, Mrs. —— her customary vanity, and Mr. —— his wonted self-importance.

From the insight already had into the two families of Mr. —— and Mr. Adams, it will be perceived at once, that the two daughters were the

only connecting link between them, which made the severance of the visiting acquaintance at all painful to the latter. Indeed without such a link, it could never have existed at all : for, however the exchanges of commerce may connect men in their business, minds never assimilate without some congenial trait ; and in all such relations our choice *will* be governed by some resemblance of character. But here, as a first fruit of a man's misfortune, and as an indication of what is to come, the first gush of pure affection in congenial minds is sacrificed to a sordid ambition and a ridiculous vanity ; minds yet uncontaminated receive the first lesson of a world's selfishness ; and the just opening rose-bud of purity and virtue receives the first touch of a blighting mildew, that, unless quickly shaken from its petals by the soft summer breeze, will wither its beauty and destroy its fragrance forever. And these reflections were all that gave Mr. and Mrs. Adams pain, in observing the neglect of their more wealthy acquaintance.

The reader has no doubt already anticipated, that Mr. Gouge was an aspirant for the hand of Amelia, and the principles which regulated his choice must by this time be equally obvious. His shrewd judgment of character had quickly taught him, to select the mother's vanity and the father's ambition

and avarice, as the medium of approach ; he therefore lost no opportunity to flatter the one, and to convince the other of his ability to “rise in the world.” His person was tall, well formed and handsome, his manners graceful, and his conversation in mixed companies was pleasing and animated ; and the parents, judging through their own ruling passions, saw nothing but what was commendable. But it was impossible for the unsophisticated mind and clear perceptions of Amelia, not to discern his real character ; and hence, whenever Mr. Gouge was spoken of in connection with herself, it excited a deeper and stronger aversion to him.

Had the parents of Amelia been able to direct the choice, they would have preferred young Mr. Heartless as the lawful possessor of their daughter’s charms ; in which case, as the provision already in store was most ample for all their future wants, Mr. and Mrs. ——— would have felt less necessity for a liberal settlement on their part ; and as a consequence thereon, the prospects of a hopeful son, just emerging from boyhood, would be much improved ; who, although the down on his chin was yet of an eider softness, was cultivating it rapidly ; and his fond mother, while she thought she discerned in him that genius and spirit of which she conceived herself the prototype, looked forward with pleasing

ambition and a ray of hope, to his union with one of the Misses Heartless; and in the consummation of both these desirable events, the ruling passion of both the parents would have been fully gratified.

Young Heartless was diminutive in person—dissipated in his habits—a little of a wit—and for his years something of a *Roué*; but not wholly insensible to the attractions of beauty, innocence, intelligence and virtue. He had once turned towards Amelia with something like admiration, the highest capacity of his mind, in the approach to love:—and piqued by the indifference, and even repulsiveness with which all his advances were received, he now sought every opportunity to mortify and humble what he conceived to be the pride and arrogance of her disposition. He knew well her sensitiveness in regard to her mother's deficiencies, which his own opportunities of observation in society, enabled him to perceive in their most ridiculous deformity; and he lost no opportunity of drawing them out, whenever he could gratify his pique towards Amelia by such artfulness. Mrs. — was one of those ladies, bodies I should say, who acknowledged herself ignorant in nothing; while of all subjects on which she was really ignorant, perhaps the literature of this or any other age was that on which she was most particularly so.—Heartless knew this well, and

so excellent a scope for the play of his wit could not go unimproved. During the evening, observing Amelia standing with her mother, and in conversation with Mr. Allen, a young gentleman from abroad on his travels, whose father had early emigrated from this country, and become a merchant in London, to whom Mr. — stood in the relation of banker ; he seized the opportunity to approach, and with becoming politeness and gravity to introduce his favourite topic ; and in the course of the conversation he elicited from Mr. Allen the remark that, “ since he had been in the country he had never met Washington Irving or Mr. Paulding in society.” “ Oh !” replied Mrs. —, “ you mean the gentleman that wrote the story in the newspapers about *Sally Magundy*, he doesn’t belong to the aristocracy, he don’t visit in this society.”—Poor Amelia ! she would have hid her head for very shame, but she loved her mother, who with all her faults was a *mother* still, and in her own way she was a kind and tender mother to her, in every thing that related to her comfort and happiness, consistent with her own views. Amelia made no apology—she trembled, she blushed, and turned the conversation with a politeness and a grace that made even Heartless regret his cruelty. But that blush—that modest grace—that expression of countenance, that pitied her

mother's frailty, and loved her not the less, made an impression on another heart, that was not soon to be effaced. For the remainder of the evening, Mr. Allen was unceasing in his attention to Amelia and her mother.

It is not our intention to give a detailed description of all the etiquette, or all the vulgarity, that is found at the "jam" of a city *Nabob*; suffice it, that all is not vulgarity even here, for wealth can always bring to its support the experience of others; and the learned, the polite, the refined, sometimes truckle to its power. But, for the pursuit of our story, we must leave untold the many sprightly things said, and the many displays of beauty, wit and grace, always to be met with in an assembly of female excellence, and turn our attention to the less inviting portion, some of the male wanderers, who are threading their way through this assembly.

Mr. Gouge, who had successively paid his *devoirs* to the mother, Amelia, and every lady in the house whom he knew, or to whom he could get introduced, having exhausted his fund of conversation, feasted his eyes, indulged his curiosity, slaked his thirst, and whispered flattery to the lady of the mansion, retired to a little ante-room, where he found Mr. Heartless and Mr. —, who, having talked of the weather and the latest news—boasted of their business, their

profits, and their property—to as many as would hear, and having nothing else to talk about, had also retired, and were discussing the affairs of Mr. Adams, or rather endeavouring, if possible, to find out from each other what were their relative situations in regard to that gentleman's business.

To describe in the abstract the finesse of two skilful diplomatists, who have spent their lives in finesse—each of whom has a secret to keep, and one to gain from the other—is rather a difficult matter. In regard to what passed then, between these two worthies, we must leave our reader in doubt, except so far as they are able to answer the questions for themselves. With politicians and business men, we would appeal to their own experience for explanation; and should I ever be honoured with a fair reader, whose curiosity is unsatisfied with this omission, I must appeal to the workings of her own little heart, when she has evaded a proposal that she would fain have repeated.

It will suffice for our present purpose, to say, that neither of them were the wiser for their diplomacy, while each suspected the other of deceit, and both were confirmed in their own purposes, Mr. —— to sequester the property which he held as security from Mr. Adams to his own use, and Heartless to pursue him without compromise in chancery,

Mr. — had for some days been balancing in his mind his power to do so with safety to himself. He had made Mr. Adams a loan of money, at the time of his failure, to enable him to meet his confidential debts, and taken his property as security. As the result in this case proved, he was one of those gentlemen who are liberal in their favours when no risk is incurred; and when he got the power in his hands, he was equally liberal in the use of it to improve his own fortune. The unsuspecting reader will, perhaps, need to be told, that there is a class of wealthy men in New-York, who find their profit in the use of their power, whenever it can be brought to bear in such a way, to produce a disastrous state of business and of the money market, for the sole purpose of taking advantage of the necessities of those whose circumstances may become affected by it; and, by reducing the value and convertibility of securities, to get them into their hands at low prices, and dispose of them again when confidence is revived. To this class Mr. — had gradually attached himself and his interests, as he had acquired the means of successful operation. To this end he designed to exercise the power he held over Mr. Adams; and the time favoured his purpose, by the universal depression which now prevailed in the value of property. His suspicions had been excited

by the apparent anxiety of Heartless to discover his relations with Mr. Adams ; and from the same cause his own anxiety, "not to let the occasion slip," had received a new impulse. Forgetful therefore of the propriety of the time, and tired of the insignificance of his own figure among so many better informed men, he sought the first opportunity to withdraw Mr. Gouge to his *escritoire*, and placing a fifty dollar note in his hands, sought his opinion on various points of the case in question ; occasionally introducing into his disclosure of facts, from the manufactory of his own brain, such emollient circumstances as he thought would cover the dishonesty of his own purpose.

Mr. Gouge felt aware, notwithstanding the high opinion which Mr. —— had often expressed of his *shrewdness*, that he was indebted, in a great measure, for this consultation and fee, to the accident of having been a third party to the conversation with Mr. Heartless ; and for a moment, the hesitation of doubt filled his mind ; but recollecting the brilliant prospects of Amelia, he gave such advice, as at once relieved Mr. —— from all further doubt in the matter.

As we have now reached another period in our story, we will leave Mr. —— to carry out his purpose, and taking leave of the mansion and the family,

take up another link in the chain of circumstances, that must lead to more important results.

The guests had all departed, the lights were all extinguished, and Mrs. —, satisfied that she had done "the handsome thing," that would entitle her to an invitation to all the fashionable soirees, and to shut her doors against all hospitality for the remainder of the season, retired to rest. Amelia too, exhausted with the fatigues of the night, and mortified by some of its ridiculous follies, yet pressed her pillow with a sweet and indefinable consciousness of an interest in one heart, that lulled her to repose in blissful dreams of the future.

CHAPTER VI.

Thus men go wrong, with an ingenious skill
Bend the straight rule to their own crooked will,
And, with a clear and shining lamp supplied,
First put it out, then take it for a guide.

MR. ADAMS had looked forward with hope, to the conversion of the property which he had assigned to Mr. —, under the most favourable circumstances, and to realize from it something with which he could effect a compromise with his creditors. In this respect he intended to treat Mr. Heartless and all others alike, and not suffer himself to be driven into partiality towards one, to the injury of others. Justice required that he should do so ; the mass of his creditors would willingly accept whatever he could pay in this way ; and, as they were, in duty to themselves and to him, bound to do, they would accept nothing else but an equal division. When, therefore, he was notified of the suit of Mr. Heartless, he called on the attorneys ; and, informing them of the provision he had made, of applying the residue of property in the hands of Mr. — to be divided ratably among all his creditors, he firmly stated his purpose, not to be coaxed or driven from

that only just and proper mode of settlement. But Mr. Gouge was already aware of the fallacy of such reliance—he was now privy to the intention of Mr. —, and he knew well that Mr. Adams had not the power to arrest the impending stroke. The amount which Mr. Adams had borrowed of Mr. — was large; money was very scarce and “very dear;” property was low; and Mr. — would have the power to absorb the whole, to pay his own debt. Mr. Gouge would have been glad that the progress of Mr. —’s suit should have been arrested, so far as to secure the debt of Mr. Heartless, on account of his own share in it; but, he had already given his advice, and he did not like to interfere. He remembered the property of Mrs. Adams, and he looked forward with hope to that. Besides, (who could know?) Mr. Adams might have some commission or trust property in his hands,—and when he found himself in distress, he might use it—men *will* do many things when in distress which they would not do at other times—the injunction would issue to-morrow, and the thing would be fixed—he was determined he would go on. He did not tell Mr. Adams all this—that would have been impolitic—but he thought it all, without telling him; otherwise, perhaps, something of the catastrophe might have been avoided.

On the following day, Mr. Adams was served with an injunction from the Chancellor ; and he was not a little surprised to discover, that the principal and income of his wife's little property—his sole reliance for the support of his family, until he could arrange his affairs—were enjoined also. Almost at the same hour, he received a notice from Mr. —, that the money advanced by him must be immediately refunded, or the securities must be sold to pay it. He was appalled—he was thunderstruck ! Could it be possible that Mr. — really wanted his money ? or did he intend to take advantage of this unfavourable moment to become the purchaser of the property in question for half its value ? No man of character could be guilty of such a thing—he did not believe it—he would go and see Mr. —. He went to see him, and, as will be already anticipated, he found him callous to every argument. In vain he represented the great loss that must follow the sale of property for money, at this time of general depression and scarcity. In vain he appealed to his sympathy for the distress which such a loss would occasion to him now, by debarring him forever from the ability to compromise with his creditors. Mr. — plead his necessity. Men who keep their business to themselves can always plead necessity, without detection, whenever it is for their interest to

do so. In vain Mr. Adams offered to increase the rate of interest for further accommodation, to gain time and opportunity to protect himself. That would expose him (Mr. —) to the penalties of usury, a thing he was always afraid of—he always kept himself *within the law*. He was deaf to every argument or entreaty, and Mr. A. returned to his office, convinced that he was destined for sacrifice.

When Mr. Adams returned to his family, in the evening, he was much depressed; he had before suffered much, as almost every man does, by the loss of his property; although the value which he put upon it was for its use, not to feed his avarice by hoarding, or his passions by squandering it. He had suffered a great deal more, when he found that he was not able to pay his debts. The feelings of an honourable merchant, when he finds himself in this situation, who, for twenty years, has punctually met every engagement—whose sense of honour, integrity, standing in society, and every association in life, prompt him to continue it as long as he can—cannot be appreciated by any one who has not been accustomed to consider punctuality a virtue; nor can even those who do so consider it ever appreciate the misery, unless they have felt it. Many an honourable merchant, I believe, in the last few years, would have paid the debt of nature with cheerfulness, if

that would have saved his pecuniary credit. And all this Mr. Adams had suffered with becoming fortitude and perseverance of exertion ; but now, he saw himself and his family in danger, not only of losing every comfort of life and gratification of taste, but of being reduced to absolute want. He could not at first rally his spirits to tell even his wife of all that had happened ; but she marked his depression with silent yet anxious solicitude : she saw and heard that the prayers which that night ascended from the family altar, were marked with the peculiar emphasis of an agitated and subdued mind ; yet there was a trust in God, that ever yields consolation in affliction.

When the little members of the family had been commended to the care of heaven, and now pressed their soft pillows in undisturbed repose—but, with the uncertainty how long they might enjoy a shelter from the world's rude buffeting, Mr. Adams, summoning his courage, revealed to his wife and daughter the truth of their situation. They no longer had the right to apply a dollar which they might have, or obtain, to any purpose but the payment of Mr. Heartless' debt. If they should collect a dollar from any debt due to Mr. Adams, or part with anything in their possession for any other purpose, it would subject him to the penalties of a "contempt of

court," and to be imprisoned with common felons. As has before been observed, they had the power of calling him up for examination as often as they pleased, while the case was pending, and compelling him to testify against himself. Should he refuse to answer, that also was a contempt of court, and the punishment the same ; he would have no resource then, but to tell the truth and convict himself, or tell a lie and stand convicted of perjury before God and his conscience, and if detected, before his country too ; an alternative which even a hardened mind will scarcely dare venture upon. The terms of the injunction must, therefore, in every respect, be complied with ; and the only hope was, that it might speedily be removed—a very fallacious hope for those who are compelled to wait the "law's long delay." In the mean time, they must support themselves as they best could.

Mr. Adams had seen enough of the disposition of his persecutors, to be satisfied, they would not spare him, if he took any liberties ; his own regard for the sanctity of the laws, would not suffer him to infringe them in any point, when he knew it. He and his family must, therefore, come at once to their situation. Mrs. Adams was first to propose this, and, with the true heart of a woman, said she would discharge her servants, and pointed out many little

ways, in which she would carry out a more rigid economy. Her household regulations had always been free from extravagance, but there were many things, in which she could economize still further. Katharine said that she would keep school for the children, and save that expense ; and she indulged her roguishness in pointing out how she would manage them, and how she would tingle their little ears if they were idle or disobedient ; and before they retired to rest, they all three enjoyed a laugh over the plans of retrenchment they had formed, and which were forthwith to be put into operation ; but they had all yet to learn what are the privations of the poor.

The proceedings in chancery are proverbially tedious, and hence that court is often selected by lawyers, for no other reason, but to worry the defendant with delay. A man may bear a torture for an hour, which he cannot sustain for a day—he may extend his arm, and hold it there for a long time, but it will finally palsy if pinioned to that one position.

The defendant in chancery may for a time sit easy under his burthen, but the sustained gripe of its power will, finally, crush his spirits, if not his life ; little by little it moves onward, like a serpent encircling its victim in its folds, constantly increasing its own power, while the breath of its victim grows shorter and shorter.

When an injunction has been served on a defendant, it becomes the policy of the plaintiff, as soon as he may, to get a receiver appointed; and then to compel the defendant to deliver every thing he has, into the hands of that receiver. The ostensible object of this course is, the safety of the property; but the real object more frequently is, to deprive the defendant of the use of it, and thus compel him, less reluctantly, to surrender his rights.

At the time of Mr. Adams' failure, he assigned the furniture in the house he occupied, as a security to his creditors. He had retained the use of it by their consent, and hoped that, on a settlement, he would be able to purchase it of them. It was economy to do so, and it was absolutely necessary for the comfort and support of his family; but Mr. Heartless and Mr. Gouge were of opinion, that a man who has failed is not entitled to the comforts of a home, and that even his wife and his children partake so deeply of his sin, that they may justly be deprived of it also. To secure to themselves the paltry value of a few hundred dollars' worth of second-hand furniture, was to them a sufficient reason for turning a man and his family out of doors; perhaps they looked beyond the immediate value of this, and thought that, the distress which a breaking up of the family would occasion, would induce an offer of

settlement in some way or other, (they could not tell how,) for Mr. A. of course understood his own business and resources best. But how could they succeed to do this ? Mr. Adams did not really own the furniture, he had honestly assigned it to pay his debts ; but then the law regards assignments without delivery and continued possession, as equivocal ; and the Chancellor in his superior wisdom has decided that, a man has no right to be even the agent of his creditors, in holding possession of property, or settling his own business, which no other man can do so well. And then, if Mr. Adams was *not* really the owner of the furniture, should the conveyance he had made of it be found to be really good in law, still, it was easy enough to *allege* that he *was* the owner, and that the conveyance was *fraudulent* ; and by offering to prove their allegations, they could take it out of his possession, until the question was decided, which if it was likely to be decided against them, they could interpose delays and prevent a decision, until Mr. Adams might as well have surrendered it at once.

When he had once placed Mr. Adams under this restraint, Mr. Gouge was in no hurry to bring matters to a close. He knew well that Mr. Adams only would suffer by delay, and that very delay might be the means of wringing from him a settlement.

As long as the injunction was pending, he could not exert his industry—if he earned any money, he would not dare to receive it—if he received any, he would not dare to part with it—he could not support his family—nobody would trust him—he would be driven by the law's delay alone to a state of utter destitution—perhaps starvation, or to contrive some means to pay the debt; and should he do the latter, he would have another process ready for him. Delays are very easily procured by lawyers in judicial proceedings—a mere pretence of further examination being necessary, of new proof to be had, is always sufficient to create delay. Then, too, delays and frequent examinations increase the cost, always a matter of importance in a lawyer's estimation. The plaintiff may call up the defendant whenever he pleases, and ask a thousand frivolous questions with no other benefit, and perhaps with no other view.—Testimony in chancery is always taken down in writing, and the lawyer's costs are taxed by the number of lines he writes. Mr. Adams was called up some twelve or fourteen times, and detained nearly the whole day and evening for examination, and a good ream of foolscap written over in taking down the questions and answers, and in making the duplicate and triplicate copies required by the lawyer, the “master,” court, &c.; and more than six

months were spent holding him in this state of trial, vexation, and suspense, without any progress being made towards the consummation of the suit, or any thing being elicited worthy of continuing it. What wonder that his patience and fortitude nearly forsook him ?

In the mean time, Mr. Adams had contracted many little debts for the support of his family,—the tradesmen and marketmen became clamorous for their pay,—they ought to have it—but he had no means to pay them. He had no more prospect now, of getting through and getting into business again, than six months before ; it would be wrong to get more in their debt without the prospect of paying them—perhaps they would not supply him—some of them had already refused—his opportunity for exertion was cut off—he knew not what to do, or which way to turn : but he had not yet been moved from his propriety. Mr. Gouge had not yet succeeded to wring any thing from so dry and stubborn a stick. Mr. Adams was still firm in advising his wife not to surrender her little property—it was but little that was left of it—it would hardly pay the debt, and they would be no better off when it was gone, but rather worse ; to use Mr. Gouge's own language, therefore, “the screw must have another turn upon him.”

Notwithstanding the long delay which had taken place since the commencement of the suit, now that new and harsher measures were to be adopted, there was no time to be lost. A receiver had been appointed, to meet the forms of law in such cases, but as yet, there had been nothing for him to receive. The household furniture before spoken of, being apparently in the possession of Mr. Adams, and his honor, the Vice Chancellor, being pleased to consider that such limited possession as was held by Mr. Adams—the same being under mortgage as security for the payment of certain debts, conformable to the statute expressly provided in such cases—was, “*prima facie*,” evidence of ownership, he confirmed the order of the master, on the application of Mr. Gouge, to deliver the said furniture into the hands of the receiver, to be by him held for final adjudication. And, on the petition of Mr. Adams, setting forth that the removal of the said furniture, and consequent damage to it, with the expense of storage, &c. until the case should be settled, would absorb its whole value; and consequently, that it would be wholly lost to all the parties claiming interest in it; and praying liberty to give security for its value in money, on its being held forthcoming in good condition, when the case was decided to whom it should appertain; his honour was

pleased to decide, upon a rule established by his higher honor, Reuben H. Walworth, Esq., Chancellor of this state, that no security could be taken in such case, other than a security for the payment of the debt, being about ten times its value; and that otherwise, it must go into the hands of the receiver, to be shut up without use to any one, and tumbled about a few years in some dusty garret, for the benefit of such vermin as might inhabit there, and in honor of the superior wisdom of the aforesaid Chancellor Walworth, who had established the rule.

By these two decisions, and the liberality and excellence of the rule on which the latter was based, with a very moderate exercise of our perceptive faculties, we are enabled to discover one among the thousand reasons, why the honorable Court of Chancery is, of late years, resorted to in every pettifogging case, and why so many lawyers prefer that high tribunal as the medium of oppression and villainy, while so many cases of equity, the only legitimate range of its jurisdiction, lie slumbering in its archives for half a score of years together.

The situation in which Mr. Adams was placed, rendered him wholly unable to give the security, which this decision required; and had it been other-

wise, it would not have been wise for him to do so, as, in case of any defect in the title he had given to it in the conveyance by mortgage, he could not but involve his friends, without any benefit to himself. He had therefore but one resource left, to intercede with the attorneys, Messrs. Gammon & Gouge, to consent that it should remain in his possession, where it would be taken proper care of, until a final decision was had in the premises. He knew well enough that it would be unavailing to approach *them*, except through their own interest ; and that was so obviously manifest in this case, that he could not conceive why they should refuse to acquiesce. But he mistook both the motives and the character of the men. They really had no expectation of being finally able to hold the property in question—their only object was, by increasing the distress of his family, and the costs of the suit for their own profit, to compel him, if possible, to find some other mode of satisfying their claims. His interview with them, therefore, had no other effect than to confirm his previous fears ; and he had nothing to do but to submit to his fate with fortitude, and in silence. The property which he had placed in the hands of Mr. —, and on which he relied for the means to extricate himself from his difficulty, had all been sold at auction by that gentleman, agreeably to his

previous determination, at the most unfavorable time, under the most unfavorable circumstances, at heavy costs of commission and other items, and all bought in by himself ; and a bill of expense for an unliquidated balance against him, had been sent to Mr. Adams, with a request, that, he would forthwith pay the same, and avoid a suit upon it. He had therefore not one resource left, but to suffer the fire to be kindled around him, for which the fagots had already been prepared by his enemies ; and to bear it with composure and fortitude.

A considerable time more had elapsed while these things were transpiring ; Mr. Adams had exhausted his little credit in the support of his family—he had borrowed small sums of his friends and had not repaid them, and he returned to his home on a Saturday evening, penniless and disheartened. The frugal meal of that night, consisted of a little tea and toast, without butter, with a modicum of a cold cutlet, and some bread and milk and warm water for the children. It was eaten in silence, for all, even the little ones, perceived that affliction was in the heart of the parents. When the meal was finished, Mrs. Adams proposed the startling question, “My dear—what shall we do for dinner to-morrow?”

Mr. Adams had never turned the suffering poor from his door unfed—Mrs. Adams had done more ; she

had been accustomed from her childhood to visiting the virtuous and suffering poor, and *carry* to them the little comforts that would nourish their faltering vigor, and cheer their desponding and broken spirits. But did they ever comprehend the force of such a startling question as this before? Oh no! What say those now, who are living on in luxury! What says Mr. Heartless and Mr. — to the value of chancery suits in the collection of debts? Here is a man, once their equal in wealth, who, during his life of more than forty years, had never before known privation, whose liberty of action is bound up, and whose energies of business are prostrated by a simple edict of the chancellor—with whom the question—how he may provide food for his family to pass the Sabbath, has become of infinitely more importance, than, two years before, the gain or loss of many thousands would have been. But the measure of his suffering, even for this night, was not yet full.

Mr. Adams rose to go out with a very undefined notion of how he was to provide for the morrow. As he put on his hat, a ring was heard at the door, and as he opened it, the receiver presented himself, and gave notice, that, on Monday morning he should come, prepared with the proper means, for removing the furniture of the house. Mr. Adams

heard the notice in silence. A thought did indeed rush to his mind, suddenly to eject him from the hall where he stood—but it was not particularly the receiver's fault, that matters were carried thus far ; he therefore only bowed off his presence and his parley, on which he seemed disposed to enter.

Confused and undefined images of suffering now pressed upon his mind—what were all his past sufferings of misfortune, to those which he now felt ? and what were even these, to those in prospect before him ? His blood determined to his heart, a sense of sickness pervaded his frame, his head swam in contemplation of the precipice on which he stood and the deep dark gulf of the future. He walked hastily several times round the square in which he lived, with no definite purpose in his mind—Oh God ! should *his* loved family ever be thrown upon a world's uneven tempest ? Should the chill and rough winds of heaven ever blow harshly on *them* ? Should *he* be deprived of the power of protecting them ? Should *he* be hunted down by a wolf-pack, who were unworthy to breathe the same air with him ?

His passions were restrained, by recollecting the necessities of to-morrow—he slackened his pace and walked on in calmer mood. What should he do ? He could not go to a stranger for credit—those who

had heretofore supplied him, now refused; pride revolted at going to a friend to borrow a *dollar*—he was indebted to them already—*how* should he provide for the morrow?

The light of a street-lamp, at a little distance, disclosed to him the approach of two gentlemen—he recognized them as Mr. — and Mr. Gouge.

The devil tempts all men; the principled as well as the hardened, the righteous as well as the wicked. The sense of his wrongs rose at once to his mind; the desire of revenge, which even good men may feel for a moment, rushed to his heart. It was not late in the evening, but the street was retired, no other footsteps were heard—should he embrace the moment? he was but one and they were two, but he was active, and in his youth he had been skilled in muscular exercise—he could cope with either of them, at any time, easily—now he could cope with them both—but he was unarmed—perhaps they were not—Mr. Gouge usually carried a sword-cane in the evening—he had it now, but he could disarm him, and then—he had slackened his pace almost to a pause—they faltered a little in *theirs*—his nerves were wrought to the highest pitch—his muscles were braced for action. “God is witness”—*of my wrongs*, he would have added to himself; and conscience whispered, “Yes, God is witness of *their*

actions and *yours*. ‘Vengeance is MINE, I will repay,’ saith God.” They were past, and he heard the sound of his name, and the audible laugh, as their footsteps died upon his ear ; but he stood the conqueror in the sight of HIM who judgeth righteously. He had overcome his own evil passions and the temptations of the devil ; he had kept a good conscience, and his hand from evil, in the hour of temptation ; and as is always the case with such, he felt the proud consciousness of having done right, and the soothing influence of Heaven’s approval. Nor was he overlooked, in his temporal necessities, by him “ who hears the ravens when they cry.”

As he turned the corner, and was passing the door of a well lighted hotel, he was called to by an old acquaintance from a sister city, to whom, more than a year before, he had lent a little sum while they were travelling together, which he had never made any account of, and which had been forgotten by all but the debtor, and *he* now repaid him. Out of this he made provision for to-morrow, and when he returned to his home, he found a gentleman there, with a complimentary letter from the editor of a periodical, to whom he had sent a contribution of his pen, and inclosing twenty dollars.

He retired to rest that night, satisfied with his reward, and the Sabbath was spent by the family

with a happiness such as they never felt in their more prosperous days. But his trials were not yet at an end ; and the courage, fortitude and affection of woman, had yet to be put to the test, with Mrs. Adams.

CHAPTER VII.

'Mured in the dreary prison walls,
Where crime and moral pestilence,
And every sign of human woe
Gains shelter, but to hatch new sin,
He breathes the tainted air unharmed.

ON Monday morning, agreeably to his notice and appointment, the receiver appeared before the house of Mr. Adams, with six carts and as many boors, with three Irish laborers, to take away the furniture to a place of "*safe keeping*." It was cheerfully surrendered to them ; and, in consideration that the Irishmen were the greater gentlemen, in consenting to have a care not to injure the goods unnecessarily, they were actually treated, at noon, to some bread and butter by Mrs. Adams.

There is some of the milk of human kindness even in the law ; for it actually recognizes that families who have been " comfortable to do in the world " are not brutes, and *gives them the liberty*, if they please, to retain a bed for every two ; a chair for each to sit on, a plate for each to eat from, and a knife and fork to eat with. Of cups and saucers,

and the paraphernalia of a ladies' tea-table, it says not one word. And, although it looks with contempt on her tears at parting with a loved and lost mother's portrait, or her desire to retain in her possession any little escritoire that may chance to contain the billets-doux or other evidences of the affection of her friends, it does not really draw the nails from the closet-wall, on which she may desire to hang a spare, but nameless garment, by whose cognomen wags are wont to jeer a ruled husband ; and not even the chancellor or vice-chancellor of the state of New-York has yet seen fit to invade this liberty in favor of debtors, upon any plea of its inequitable provisions. And, of this liberty Mr. Adams positively availed himself, to the great discomfiture of the receiver, and the attorney, Mr. Gouge.

Mr. Adams was still bound for the rent of the house in which he lived ; but he was enabled to let it immediately, reserving " two rooms and an attic " for his family. To these they immediately removed the scanty conveniences that were left them ; and, as it was now quite certain that he should not soon get released from the embarrassment of this suit, so as to enable him to transact any business for himself, he immediately looked about for other means of support. He applied for an appointinent in the cus-

toms ; but he had never been a violent politician in any party, and his qualifications for business were no recommendation for office. He applied to merchants, his old acquaintance, who were still in good standing, for employment ; but their business was much depressed, they had discharged many of their clerks, and closed some of their agencies, and there was nothing for *him*. When some of them inquired into the situation of his affairs, with a view to discover the safety or risk of confiding the management of any concern to his care, he told them the truth, that “a creditor’s bill and an injunction were lying against him,” and their decision at once was, that it might embarrass any thing placed in his hands, and create delay and expense ; they would not therefore run the risk. He withheld from them his utter poverty, and would not appeal to their sympathies. He applied for a place in the bank, where he had been a good customer ; but such were the distresses occasioned by the “commercial revolution,” and the applications were so numerous, that his chance was not one in a hundred, and he lost it. He would take an ordinary clerk’s situation ; but salaries were very low, and hundreds of young men, who had been discharged from employment, were seeking places—men do not like to employ in an under-situation one who has been their equal in standing,

and is more than their equal in character and acquirements; they could not exercise the desired freedom with him—they preferred a young man. Mr. Adams was therefore obliged to satisfy himself with such brokerage transactions as he could make from time to time, with the occasional help of some production from his pen. Mrs. Adams was a proficient in music, and she obtained the situation of organist in one of the churches. Thus, while all the week was devoted to her household duties, and the cares of a large family, she made the Sabbath-day, and the worship of God, tributary to their support.

Their daughter had received a good education, but she was too young to be employed as a teacher; she therefore set about revising her studies preparatory to such employment; and, by her skill in drawing, occasionally procured something to assist in supplying the paraphernalia of a young lady's toilet. Things were going on very well; they were all cheerful and happy; the children were replaced at school; and Amelia — occasionally dropped in, at their humble apartments, much to the surprise of her mother, who wondered at her taste, and the regret of her father, who thought she suspected more than he wished her to know; and from the many confidential communications between the two young ladies, it was plain that matters were progressing

with Amelia as well as the Adamses, and that she had lost nothing in the eyes of Mr. Allen, nor he in hers.

The lawsuit progressed but slowly; an occasional notice for a "motion," and an "appeal" on the various points that were to be finally argued, was all that had transpired. But the law held its gripe firmly, and Mr. Gouge was waiting anxiously, to see when Mr. Adams would so far yield to its power, as to do wrong to others to gratify *him*. Mr. Adams, in his opinion, must have some resources which he had not shown—he could not have assigned every thing to Mr. —; he could not have applied all his property to his debts, a man would not do such a thing—how did he support himself?—men could not live on air—affection would not feed children—Mr. Adams had even maintained respectability, until his house was broken up—to be sure, he was no longer respectable, since he lived in a garret. Fool! he ought to have been born a Spaniard, who have no name in their language for honesty; but he would disgrace the high and generous soul of many a Spaniard, who needs not the help of a name to confirm his principles.

But Mr. Gouge had been sadly disappointed—his prospects of succeeding to the estate of Mr. ——— through the attractions and accomplishments of his daughter, by reasons which the reader will at

once comprehend, were at end. He had become embittered—he regretted his advice to Mr. ———. With knowing his intentions, he might have thwarted him, and served his own purpose by it—he had taken a great deal of trouble, and incurred some expense in the suit against Mr. Adams, and he *would not* relinquish the pursuit, until he was remunerated—he would consult his partner in the matter, who stood as “counsel” in the case, a division of labor which justifies partnerships among lawyers ; it having been decided by his honor the chancellor, that it is not enough for a poor debtor who stands in the position of defendant, and may chance to lose his case, to pay one lawyer for persecuting him under the name of “solicitor ;” but that “solicitor” must have “*counsel*” also, to enable him the better to dog and worry down his prey.

At a consultation held in the office of “Gouge, attorney for plaintiff, and Gammon of counsel,” it was decided that success was doubtful, if the case should come to a final argument and decision. The law was not on their side, and justice had nothing to do with the question. Even the court of chancery could not but decide against them on a final hearing. They would lose all their time, trouble and cost, a new and valuable client, and perhaps something of their reputation as lawyers. And secretly,

Mr. Gouge thought, he should lose his share of the debt too. Something more must be done to bring Mr. Adams to terms, "the screw must have one more turn upon him" to do that, before he had the opportunity to escape from its grasp—or disappointment and disgrace would recoil upon themselves.

Their united legal talent and learning, with their technical knowledge and cunning, were therefore put in requisition for this purpose. If he could be brought to commit a contempt, he would be in their power, he would never consent to go to prison—that would disgrace him forever. At present he was only humbled, not disgraced, in his own opinion. But he was prudent—he was even sagacious, and he knew the consequences ; how should they contrive to bring this about ? The vice chancellor, on the application of the defendant, had ordered the examinations closed, and there was no opportunity—they must therefore make affidavit of facts, and move for new testimony. But what did they or their client *know* which they could swear to ? Really nothing ;—but then the liberality of this court permits a plaintiff to swear to what he believes, or professes to believe, although his belief may be grounded only on suspicion, while the defendant can only swear to what he *knows*, and his answer must be direct to the allegation, without any qualification of circumstances, even although such circum-

stances may be absolutely necessary, to reach the whole truth. If he could be led into something of this kind, where he should *refuse*, and persist in refusing, to answer directly, they could first "attach him" on that ground; and while the motion was pending, they would hunt up some additional evidence, to be introduced at a time when he would have no opportunity to refute it.

The testimony was "opened" again on the application and oath of Mr. Gouge, that, "facts material to the case had been discovered," and Mr. Adams was again subpoenaed to appear and answer before the master.

The following are the only material facts of a four hours' examination, which it is necessary for us to explain.

Mr. Gouge. You will please, sir, to answer *directly*, yes or no, to the questions which I shall put. Have you received any money, sir, since this injunction was served on you, that was due you previously?

Mr. Adams. None that is contained in the books of account.

Mr. Gouge. That is not the question, sir, answer directly, I repeat it. Have you received any money, I say, since this injunction was served that was due you previously?

Mr. Adams. None that I considered as due.

Mr. Gouge. That is not the question, sir—I shall repeat it but once more, and at your peril answer me directly, yes or no : have you received any money since this injunction was served, that was due you previously ?

Mr. Adams. None for which I considered I had any legal claim.

Mr. Gouge. You see he does not intend to answer my question. We know that he *has* received money. And I shall move “an attachment for contempt.”

Other witnesses were subpoenaed. A butcher from the market testified, that he had an account against Mr. Adams for a long time, and could not get his money—that a month or two previous Mr. Adams had paid him seventy dollars, and told him that he had been so fortunate as to get an old debt. A grocer testified to the same, and that he had paid him a hundred dollars and upwards. His landlord testified, that he had paid him two quarters' back rent, (an excellent landlord he was,) and gave the same explanation. The proof was positive. In vain Mr. Adams represented that he had received nothing but the small sum from his fellow traveller, except that, more than ten years before, he had loaned to a brother of his a thousand dollars, to

assist him in buying a farm in a distant state ; and his own circumstances being then very prosperous, he took no security or obligation for it, but told his brother, if he never needed it, he would never call for it. That, in his difficulty, he had made known his situation to his brother, and that he had voluntarily refunded the money, with which he (Mr. Adams) had immediately paid his debts contracted in the support of his family. The explanation was considered fallacious, unsupported by other proof. Mr. Gouge called it an Indian gift ; and on a final hearing, Mr. Adams was ordered to be committed to prison for sixty days for a contempt of court, in refusing to answer, and for a violation of injunction.

Messrs. Gammon and Gouge had been more fortunate than their highest hopes ; they did not expect to succeed so well, and now they felt sure of complete success. It was not in Mr. Adams' power to answer otherwise than he did : either yes or no, would not have been strictly true. If he had said, Yes, it would convict him in the law—if he said, No, it would convict his own conscience : but he felt justified in receiving these sums of money, and converting them to the purpose which he did ; for he never would have collected these debts for any other purpose : he had actually no legal claim for them, and held no evidence of their existence. If the read-

er is desirous of a reason for his liberality to his brother, it was because he protected their mother, then at an advanced age.

Mr. Adams was now in the eye of the law a condemned criminal—he was to be incarcerated with felons. But the consciousness of his integrity supported him—he had been depressed under misfortune, but now his spirit rose above it—he heard the sentence of the court with undisturbed and dignified composure, and he received the officer who was to commit him to prison with cheerful politeness. But he had yet to communicate the intelligence of this decision to his family ; and, here might be a scene, here a different train of thought would arise—different feelings would be brought into action ; he felt that he could command his own feelings, but how could he resist the impulse of theirs ? the thought of a prison would be a terror to *them*, but he would quiet their fears, and assuage their grief, by commanding himself, and being cheerful to the last under all circumstances.

The officer politely consented to accompany Mr. Adams to his home in the afternoon, and remain there an hour or two, to give Mr. Adams time to disclose matters gradually, and first prepare the minds of his family to receive the worst. It was all managed very well. Not many tears were shed ; but it was

plain that, with some, the grief was too deep for tears. Mr. Adams assured his wife that he should not be detained the whole time—that his counsel would apply for a writ of “habeas corpus” to release him—that testimony could be had from his brother in a week, or at most ten days, and that would put all right again. She endeavored to believe him, but it was plain that a sense of his wrongs had sunk deep into her soul. Her confidence in his superior knowledge and ability had hitherto rendered her passive in all his difficulties; but now, he could no longer act for himself—she was resolved to act for him. She busied herself in putting up some little comforts for his comfort, and selecting some books for his reading. The time had come for his departure, and she put a bundle into the hands of a little son ten years old, to go along with him. They rose to depart amidst the profound silence of the family, not one of them daring to trust themselves to speak. A little boy of five now burst into tears, and clinging to his father’s legs, sobbed hysterically, “You shan’t carry my papa to jail.” This was too much for Mr. Adams; but raising him from the floor, he kissed a tear from his cheek, shut the door after him, drew his handkerchief, wiped a scalding tear, and departed. Mrs. Adams silent, pale and ghastly, followed him with her eyes from the window, until he was lost

in the angle of the street. She had stood breathless, motionless and tearless ; but, when she turned to behold the little group of her children, and to think of her own half-widowed condition, all the feelings of a mother, a wife and a woman, rushed at once to her heart ; and throwing herself on the bed in the chamber, she burst into a flood of weeping. This brought the children around her, and all their affections were now centered in a mother's sorrow. Nature is soon exhausted by violent emotion, and weeping is a balm for sorrow. When Mrs. Adams felt relieved, she extended her hand for them to kiss, and bade them go to their play and be good children ; she wished to be left to her own reflections for a little while.

Tears have been called the wine of a woman's wrath, but they are more frequently the precursors of the highest exercise of courage and virtue. Mrs. Adams now felt that something more than ever before had devolved on her. Her husband was now in prison ; he could not assist her in the support of the family ; all her time and strength would be required for that, but something must be done for *him*. Katharine could leave her studies for a while, and do the work of the family. She knew her husband's wrongs, and the villainy of his persecutors ; she could not bear that he should lie in prison to the end of his sentence,

as if he were guilty ; the world would not inquire about his innocence ; his or her knowledge would not convince them ; there must be some evidence of it, and although he had assured her that measures would be taken to release him, yet his counsel might be tardy ; his opponents might throw obstacles in the way, and her husband would not have the opportunity or the power to remove them. But what could she do ? she was unacquainted with the measures necessary to be taken ; she would go at once and demand admission to see him, and consult with him. But the sun had now set, darkness was shading every object with its gloom ; the clouds were lowering, and portended a thunder-shower, always terrible to her. She could not go, they would not admit her at that time. Oh ! was it possible that her husband should spend that night, and many nights in the dark and cheerless damp of a prison ? Would he not be there that night, to lead their family devotions ? Another flood of tears gave vent to her anguish, and brought her to the recollection that her children now needed her care ; and when she had provided them their frugal meal, she commended them to the care of Heaven in the prayers of the church, and herself retired to her couch, but not to repose.

When Mr. Adams, with the officer and his little

son, arrived near the prison where he was to be lodged, alias the Tombs, they met Messrs. Gammon & Gouge, who had probably just left the sessions court room, which is in one wing of the same building. They stopped directly in front, both extending their hands, and at one and the same time exclaimed, "Why, my dear sir, you are not going to prison ? but you must *not* go, you must make some compromise by paying the debt!"

Mr. Adams declined the honor of their hands, and replied, "I am condemned to prison as a criminal, not for debt!"

"But," replied Mr. Gammon, "if you pay the debt, you remove the injunction ; all the ends of the law would be answered in granting it, and the court would certainly be open to a reconsideration and alleviation of the sentence."

"Very probable," replied Mr. Adams, "but first it is not in my power ; and second, I ask no charity of the court or of you—I make no compromise with the law or with justice." He waved his hand for liberty to pass, and as they walked on with blank faces and eyes askance, he saw that they were disappointed, and an indefinite expression of guilt and fear marked their cowering looks.

Arrived at the prison, Mr. Adams made arrangements with the jailer to furnish him with a light at

night, and proceeding to the cell pointed out, he bestowed his little bundles of necessaries, and in the presence of the officer and turnkey, taking leave of his son, whose suppliant looks and visage of woe showed that he was yet too young to comprehend the nature of his father's position—the turnkey threw home the bolt, and *he was in prison*.

He spent a little time in adjusting his little affairs; and when night had drawn her sombre veil over the face of nature, it beheld him at a deal table, by the light of a smoky lamp, indicting a letter to his brother. When he had finished it, after commending his cause, his family and himself, to the Judge of all, he threw himself on the hard matrass, and exhausted with fatigue and excitement, he sunk to repose in the consciousness of his own integrity and Heaven's approval still.

CHAPTER VIII.

There is in souls a sympathy which seems,
When the rough winds of heaven shake their hopes,
To bind them to each other closer still.

WE must now return for a moment to the family of Mr. ——. It is not our intention to invade the family circle of any one, any further than circumstances there are connected with the events of our story ; and although it is ever our delight to mingle with the fair, we have not introduced into these pages a tale of “ Love’s young dream,” with any view to tickle their pretty ears with the soft cadence of his song ; nor will we be guilty of whispering to vulgar ears any of his sly, yet holy secrets. We remember our own young days,

When first a shaft from his well-strung bow
Pierced our heart deeply, and brought us low
At the feet of her we worship still.

And we regard these things as far too sacred, to be held up to the gaze of a gaping multitude. We remember, too, when the arrow long quivered in our bleeding heart, how delicately it was at length

withdrawn ; how quickly the wound was healed by the soothing charm of a y-e-s, that beamed in the eye, and mantled on the cheek, long before it trembled on the lips. The manly bearing and satisfied smile of Mr. Allen, and the rose-tint blush and the lustrous eye of Amelia, whenever he was present, were tell-tale signals that all these things had happened to them.

The maiden coyishness of Amelia was not of that character which shelters a want of good sense under affected modesty ; and when she had made up her mind to accept the hand of Mr. Allen, she received his attentions with unreserved frankness. She sought every opportunity to discover his tastes, and draw him to her own ; and avoiding alike the squeamishness of silly girlhood and the foolish etiquette of arbitrary fashion, they each soon discovered that there was a communion of minds as well as of hearts between them : both were well educated and accomplished ; both were intelligent and virtuous ; both were generous and confiding ; both were lovers of truth, and both had embraced Christianity.

On the evening after Mr. Adams' commitment to prison, Amelia heard her father relate the fact with an appearance of satisfaction, which almost confirmed her previous fears, that he had not done

right by him ; and that he had, in some way or other, been instrumental of his misfortunes. She knew her father's ruling passion, and she remembered the proverb—"He that maketh haste to be rich shall not be innocent." She could not conceive exactly how this might have been done, but the altered demeanor towards Mr. Adams since his misfortunes, and her knowledge that her father had held Mr. Adams' property in his hands, and the guarded and even reluctant manner with which the Adamses had always spoken of her father in her presence, were all circumstances that needed explanation. She would fain have spoken of it to Mrs. Adams or Katharine, but what if she should be mistaken ! to suspect her father of villainy, and reveal her suspicions, and be mistaken—she could never forgive herself the error. And what if she should find it all true ? she would feel herself disgraced in their estimation, a thousand times more than their poverty disgraced them in hers. But the undefined conviction of truth which often steals into our hearts without apparent cause, haunted her spirit, and she resolved on seeing, at least, if something might not be done to relieve them.

On the following morning, when Mr. Allen called to pay his respects, Amelia signified her intention of taking a walk ; and as soon as they had

reached the street, she revealed her purpose of calling on a friend in difficulty. They proceeded directly to the rooms of Mrs. Adams, where they found Katharine alone, except the little children; she had just finished her morning's work and her toilet, and was brushing and curling the hair of a cherub boy.

The embrace of the young ladies was cordial and affectionate, but chastened, as if conscious of affliction! each understood the other's grief—"each felt the other's wo," a wo not their own. But how calm, how dignified was the grief of Katharine! it lent new grace to her motion, new loveliness to her features, new dignity to her mein, new force and dignity to her thoughts, language and expression. Amelia was agitated, she was subdued, she felt an undefinable consciousness, not of guilt, but of wrong, a wrong not her own. A thought crossed the mind of each—Amelia would part with her father's possessions to procure for him Mr. Adams' integrity; Katharine would not part with her father's integrity to free him from a prison, and gain Mr. ——'s possessions besides. They had been educated together; for six years they were at the same school, and in the same class; they were alike in tastes and character; their love was mutual, and their friendship sincere, and Katharine's present superiority was one of circumstance alone.

The first salutation over, an introduction followed. This was the first time Mr. Allen and Katharine had met,—a consequence of breaking off the family acquaintance. Amelia then inquired for Mrs. Adams, and Katharine stated, without reserve, that she had gone to see her father in prison. Mr. Adams had always made his family the confidants of his business, particularly since his misfortunes; and Katharine knew every particular respecting it. She felt that an explanation was due to such a circumstance in the presence of a stranger, and she discoursed most eloquently upon all things connected with his misfortunes, except his wrongs at the hand of Mr. ——. The explanations made by Katharine showed Mr. Allen who her father was. He had never met with him in this country, but he had long been a correspondent of his father in his more prosperous days, and he knew him as such. He had often heard his father speak of him in terms of great respect. He was indebted to his father at the time of his failure; and when *he* had come over to this country, he had brought instructions from his father to Mr. —, who was his agent, to surrender the claim, for any thing that Mr. Adams would propose. In the course of conversation he asked Katharine some questions for his own satisfaction, but he made no remarks. He regretted in his own mind that he

had never sought Mr. Adams out. He was resolved to go and see him now, and became uneasy ; which Amelia perceiving, she sought a short *tête-à-tête* with Katharine, and they departed.

As soon as they had again reached the street, Mr. Allen said, laughingly, "I'm in love with that girl."

"You are, indeed?"

"Yes, truly."

"And what if I should tell you that I love her better than *any one* else?"

"Ah! that would be a hard saying."

"But what do *you* see in *her* that is so lovely?"

"She loves her father."

"And do you know him?"

"Not personally, and only as a correspondent of my father ; *he* knew him well, and I have often heard him speak of him in the highest terms of respect. I intend to go and see him to-day, and inquire into his misfortunes.

Amelia was happy—this was more than she had hoped for. She intended to have made such a request, but she knew not what reason to offer, and she was afraid to divulge the secret of her deep interest. They arrived home, and Mr. Allen departed on his errand of kindness. To find out where Mr. Adams was, and the necessary means of access to

him, he proceeded to the office of Mr. — to inquire. The anxiety of that gentleman to dissuade Mr. Allen from his visit, and the perturbed feelings which he manifested on the introduction of Mr. Adams' name, raised a doubt in the mind of Mr. Allen, and confirmed his purpose ; and we must now leave him for a while, and return to Mrs. Adams while he fulfills it.

At the earliest hour at which she could gain admission, Mrs. Adams repaired to the prison. Some of my readers perhaps have never been in a prison ; and there is certainly little to invite the examination of these abodes of misery. Mrs. Adams had never been in a prison before—her blood chilled, and she would have faltered as she entered the long, narrow, and dimly lighted hall under the conduct of the turnkey, and passed the iron doors of the cells of its inmates, some of whom were boisterous with profanity, had she been on any other errand ; but woman's affection will brave every danger ; and if no danger was here, there was that which was worse, she was in the midst of crime and every pollution. How disgusting—how sickening to the soul of virtue and innocence !

As the turnkey threw back the ponderous bolt that opened the door to her husband's cell, the clanking iron struck her with a new chill of horror. Was

it possible that her husband was confined in that gloomy place, shut out from all converse with the world, and almost from the light of heaven? The door opened, and she beheld her husband sitting at his deal table with his writing materials before him; he raised his eyes, and with a cheerful smile then rose from his chair to receive her. Woman-like, she exclaimed "My husband," and rushing to his arms, overpowered with a sense of the circumstances and the place, she hung a senseless burden on his breast. When she revived, the bolt had been turned upon them, and they were together alone.

"How could you leave the children so early, my dear?" said Mr. Adams.

"How could I stay so long, did you not mean?"

"Did you give the children their breakfast before you came?"

"I left it for Katharine to attend to, they were not all awake."

"And you have not taken your own?"

"No."

"Your excitement and exertion will make you sick, you must be more prudent."

"I shall have no more excitement now I have seen you here and seen the worst; you must first instruct me how, and then permit me to do something for your release from this place."

“ Nothing can be done but in form of law, and that must be by petition for alleviation of sentence ; or under process of a writ of “ habeas corpus ” and a hearing before the court to establish the illegality of my sentence, and my innocence of the crime for which I am in confinement. That cannot be done effectually, without testimony from my brother. I would not consent to be released on petition, for that would be equivalent to acknowledgment of guilt. I have written a letter to my brother to come immediately ; in the meantime, a commission will be taken out to send there, and examine him, in case he should for any reason be unable to come.”

“ But,” said Mrs. A., “ I am afraid the lawyers will be tardy in the commission—your letter might miscarry—he may not understand the immediate necessity of the case, and may delay ; I think with your permission I will set out to-morrow to go after him.”

Mr. Adams could not but feel more than ever the force of his wife’s affection, but he endeavored to dissuade her from so hazardous an undertaking as a journey of seven hundred miles alone on his account ; he would almost as soon lie in prison to the end of his sentence ; he thought her strength was not equal to such exertion : but woman’s

strength is equal to any exertion, as long as the exciting cause lasts ; when that is over, she sometimes falls a sacrifice to her own devotion. But Mrs. Adams thought her strength was equal to this undertaking.

A trampling of feet in the narrow passage-way, and the key thrust into the door, announced that breakfast was coming for Mr. Adams. There are but few cases even in prison, where a man may not get comfortable food by paying for it, and Mr. Adams, although his means were but small, feeling the necessity of sustaining nature under his circumstances from falling into debility, had arranged to have his meals comfortable yet frugal ; and now there smoked on his deal table a cup of hot coffee, a small steak and toast. The turnkey thought it was now time for Mrs. Adams to go ; but an imploring look from her, and a word from him, procured not only a reversal of this decision, but an additional cup of coffee and toast, and again they were alone together.

And now let any one despise these two who can ; we pity the man or woman who does so, and would not suffer his feelings here, or the fate of his soul hereafter, for all the luxuries that wealth ever bestowed, and all the adulation of all the sycophants that time ever witnessed. If such a feeling were

justifiable under any circumstances, we would envy them, and would willingly take their place, to procure their condition.

“ Really,” said Mrs. Adams, “ this is a good cup of coffee.”

“ Your morning walk,” said he, “ has given you an appetite ; you have greatly revived—I never saw you look more yourself.”

“ I am with *you* now, so it signifies not the place or the circumstances.”

“ And I have an honor I never hoped for, in being followed to prison by my ladye-love.”

“ You mean that you never expected to be in prison ; otherwise, you would certainly expect to find me there sometimes, also.”

“ Truly that might better express the sober truth ; but even this place is not too gloomy to be cheerful ; really this steak is excellent ; hard fortune and prison walls, have not taken away my appetite.”

“ No, nor ever will, while you sustain your own character ; and now I am refreshed, finish your letters, and then I am going to see your counsel.”

“ They were finished last night ; I was but just reviewing them when you came in.”

Mrs. Adams could have spent the day happily in this cell with her husband ; but she felt that circumstances called her to other duties, and she considered

that time lost, that was spent for her own gratification. She now prepared to leave her husband alone again, having first imparted to him her resolution, that it would depend on the information she might get from his counsel, whether or not she should set out on the morrow to go for his brother.

As she left the cell, her womanly fears returned upon her; the reverberating sound through that narrow passage, the dim arches and iron doors, of the turnkey's heavy foot-fall; and the noise of some prisoners in a distant part of the building, brought frightful visions to her mind; "how could she have ventured there alone," thought she, but she wanted to see her husband alone, and that had overcome all fears. She tripped hastily along the passage, and her heart was lightened, and her step grew firmer, when she once more found herself in the open air.

We have no taste for describing tender scenes; but if any one supposes that he has read all of this interview, he knows nothing of the soft press of the hand, and the softer cheek of a noble woman and a loving wife, who has lost nothing of her loveliness by having passed her six and thirtieth summer; but in womanly dignity, carriage, expression, and eye beaming with affection, all cultivated by a sound understanding and a virtuous mind, stands now more peerless than ever.

Proceeding directly to the counsellor's office, Mrs. Adams introduced herself, and explained the object of her visit ; she then questioned the lawyer on various points with a closeness that led him to suppose that she might in her day have had a lawsuit of her own. She learned that in getting out a commission for taking testimony, application would first have to be made to the court ; that then, the questions to be proposed would all have to be taken down in writing ; and after that, the opposing counsel would have the power to retain it for several days for cross questioning.—Then it must be despatched under the seal of the court, to some persons there to attend to it, and returned under seal in like manner ; then perhaps, the commissioners to whom it was sent, might not attend to it immediately—and she saw that if her husband's letter should miscarry ; if his brother should not get it immediately ; or if any thing prevented his coming, and she felt a presentiment that there might be something to prevent it, then her husband would lie in prison till —— ; and already in her mind, the cold damp cell and the stifled atmosphere had laid the foundation of disease, sickness and death ; she was resolved, and returning to the prison, communicated to her husband all she had learned, and her own determination to start in the morning. Mr. Adams knew her firmness and

courage, but he endeavored to dissuade her; she would expose her health and her person, the children needed her care, and *she had not the means to pay her expenses and leave them provided for.* But she was firm in her purpose, if she could procure the necessary means; and taking an affectionate leave of him, she returned to her family about 3 o'clock in the afternoon, much fatigued of course, but cheerful and happy in her determination, to prove her devotion by personal sacrifice.

The remainder of the afternoon was devoted to preparing herself for travelling. It was now getting late in the autumn; night had followed fast on the heels of the departed sun; her children had retired to rest; and while Mrs. Adams sat by the fading embers of a grate of Schuylkill, pondering how she might provide herself with the means for her journey, the thick dark clouds of November rolled heavily up from the North, bringing with them the chilly blast that moaned and murmured through the leafless trees, telling a tale of bright departed joys of summer, and the coming winter's frosts, fit emblem, thought she, of this world's favor; but while she thus desponded for a moment, a well dressed servant, a foreigner, and apparently a German, was ushered into the room, and inquiring if he saw Mrs. Adams, handed her a note, and re-

marking that he was directed to give no explanation, retired.

On opening this note, which was in an anonymous hand, she found it to inclose one hundred dollars, and informing her that it was justly due to her husband, desired her to use it as she saw fit.

Mrs. Adams thanked God in her heart and on her knees, and being now fully provided, we must leave her to depart on her journey in the morning, while we take up another link in the chain of our story.

CHAPTER IX.

————— We are beset
By snares on every side, and we must learn
In silence and in patience to endure.
Talk not of vengeance, for the word is death.

WE shall not find it necessary to follow Mr. Allen in his further inquiries after he left the office of Mr. ——. As soon as he had gained all the information which he thought necessary, he went immediately to the prison, where he arrived just after Mrs. Adams had left for the second time, and gaining admission, he proceeded to the cell of Mr. Adams; and then, desiring to be left alone with him for an hour, the turnkey threw home the oft drawn bolt again, and retired. Mr. Allen then made known to Mr. Adams his name and connections and the object of this visit; describing to him the circumstances of his arrival in this country, the reason he had not called on him before, and the means by which he had that morning discovered his situation; and he now desired to know in what way he could serve him. In offering his services,

he said, he was persuaded he only performed the will of his father, if he knew the circumstances in which he (Mr. Adams) was placed. Mr. Adams thanked him for his liberality, and was at once in love with his modesty and ingenuousness. With his usual frankness, therefore, he explained to him the whole nature of his difficulties ; but added that, as he would not consent to be released from his present duration on any other terms than a reversal of his sentence, and the establishment of his innocence of any offence against the laws, he knew of nothing in which he could at present serve him. Some little time would be necessary to procure the requisite testimony to free him from prison on these terms ; but that, once again free, and this chancery suit at an end, he believed he had many friends who still had confidence in him ; and if he could not then succeed to get his debts compromised, and embark in business again, he could at least get employment. That should any of his friends come forward to compromise or settle the debt out of which this suit grew, or make any other and better settlement with them than he was able to propose to others, it would afford inducement to two or three other unprincipled creditors, to place him under the same difficulty again ; and that the lawyers in the case would probably seek out his creditors, and per-

haps purchase up debts against him with that express view. Under all circumstances, therefore, it was his determination to abide by the result, for better or worse, as the only course that would be just to his other creditors, and secure to himself a freedom from like embarrassments in future. He spoke highly of the liberality and kindness of the great mass of his creditors, and said he was happy to bear testimony to the character of the merchants of New-York generally, and of the world ; that there were not many among them who would pursue a course so oppressive. In the course of his remarks, he made some animadversions on the conduct of Mr. —, (for he was not yet aware of the interest which Mr. Allen had in one member of that family : he had heard something about it, indeed, but he did not know the name of Amelia's suitor,) in which he took occasion to say, that Mr. Allen's father had, in that case, been so fortunate as to secure his whole debt, which being in the hands of that gentleman to collect, *he* had retained the whole amount in his hands out of the proceeds of the property sold by him. The astonishment of Mr. Allen on hearing this, was very great ; for he knew well what instructions had been given him by his father, in regard to that claim ; and he knew, moreover, that Mr. — had informed his father, that nothing

could be got from Mr. Adams, and that he had surrendered the claim for a very trifling nominal consideration. But Mr. Allen kept his counsel with a prudence beyond his experience in business, and as we now begin to perceive a new reason for his interest in the affairs of Mr. Adams, we shall not be so much surprised at it in future. If, indeed, we should say that Mr. Allen's prudence in this matter was greatly regulated by a sudden discovery of what effect a disclosure and a rupture might have between himself and Amelia, we should not do injustice to his mind, while we paid a high compliment to the sincerity of his affection, and the nobleness of his heart. And, we shall not have made any new discovery in philosophy or morals, if we think that, in this as well as his other conduct, we see a reason why Mr. — should wish Mr. Adams to be wholly crushed, and compelled to retire from any correspondence with the commercial world.

Mr. Adams went on with his disclosures, stating clearly and distinctly in what way he had become indebted to Mr. —, in what way he had placed his property in his hands, in what way it had been disposed of to cover legal appearances, and that Mr. — was now the ostensible owner of every particle of it himself, which was a principal cause of his being deprived of all means to make a dividend

to his creditors ; from all which circumstances, it was clear to the mind of Mr. Allen, that not only had Mr. Adams been wronged out of many thousands, but his father's name had, to some extent, been used for that purpose. He was surprised and angered at the picture of depravity which it gave him ; but the same motive which influenced him before, still kept him to his prudence.

Mr. Adams was free in his communications—beyond his usual reserve—but he had been surprised and somewhat indignant, at what he supposed had been the directions of Mr. Allen's father, to seize upon the means in the hands of Mr. —, by making him his agent, and thus get his whole pay, instead of taking his just position among other creditors of the same character ; and he wished the truth of the matter to be conveyed to him through some other channel than his own correspondence, which, in fact, had now, for some time, entirely ceased in all his former commercial relations. In the course of the conversation he accidentally, and without thinking that Mr. Allen had come to offer him assistance, let drop the circumstances of his wife's determination to undertake a journey, and of her unprovided condition.

The hour had expired, and the turnkey was at the door. Mr. Allen took his leave, satisfied of the value of his new-made acquaintance, and thanking

God, that he too was an honest man, returned to his lodgings in a mood of mind, which, however his fears might have been excited in the morning by his inquiries at the office of Mr. —, he was but ill prepared to meet. That day he had company to dine with him at his lodgings, and his friends remarked that he was moody and silent. His conversation was usually sprightly and entertaining ; but now he could not be “ drawn out ;” and they jeered him occasionally with the question, “ if the baby god was treating him unkindly ?” As soon as his company had retired, and before he dressed for the evening, he despatched his servant with the note to Mrs. Adams, anonymously inclosing the hundred dollars before mentioned, which he intended as in part payment of the amount of which Mr. Adams had been wronged by Mr. —, using the name and claim of his father to do so ; and which he now intended should be recovered by some means from that gentleman, but how he did not know at present.

Mr. Allen was of a temperament naturally cool and deliberate ; his perceptions were quick and clear, and his judgment discriminating. One of the strongest principles of his mind was, a stern sense of integrity, inherited from his father, inculcated by education and strengthened by example ; and while his life thus far had been removed from all tempta-

tion to swerve from it, it was but natural that he should view with disgust and horror the total want of it which he had discovered in his father's confidential agent, and the father of her on whom he had bestowed his affections, and whose affections he had not unworthily won.

His father a merchant, and himself destined to be a merchant, and to occupy no inconsiderable position in the commercial world, he viewed the insult which had been practised upon his name as a thing not to be passed over; he considered mercantile honor as the soul of security, while his religious principles forbade him to wink at any thing short of the most punctilious observance of it. And now he found himself placed in a position, for the first time, where, in all probability, he must suffer for the sake of his principles, or sacrifice his principles to what he considered to be another duty—his regard for the happiness of Amelia; at least, that was the thought in which temptation clothed his fear of marring his own happiness by a sacrifice of her affections.

To what would all this lead? thought he. Would Amelia bear to see her father disgraced, and still love *him*, if *he* became the instrument of it? Never. But whence all her interest in the Adamses? there must be something more than the mere kindred tastes and character of the two young ladies to ex-

cite in a young girl that peculiar interest which he had seen manifested, and often heard her express,—perhaps she knew these things already, and if she did, he was persuaded that her natural good sense and integrity of mind, would approve in him whatever was right. He would delicately broach the subject far enough to discover what was the fact in one case, and what would be her feelings in the other. Did she love him ? yes, he felt sure of that ; then she would never cease to love him, for doing what God and all men would approve. His resolution was formed ; he would see Mr. Adams righted, at least, so far as his father's name was concerned ; but he would do it as delicately as might be, and if possible, without the knowledge of any third party. But he was destined to render him a yet more important service.

The prospective union of Amelia with Mr. Allen, was received with great favor by Mr. — and his lady ; they could not be insensible to his merit as a man ; his education was of the most finished kind, so they were informed, and his character was every thing which the most fastidious regard to principle could desire ; but there were other considerations which weighed still more strongly with Mr. — ; the wealth of Mr. Allen's father, the great respectability of the house of which he was a

member—the valuable commercial relations to which it would lead, were in his mind paramount considerations. The little matters of the heart were, in his opinion, things which could always be made to yield to circumstances; and if in the present case the parties were agreed, it was very well: in his own view of the matter, he was highly pleased and flattered by the prospects of his daughter. And, as such men always yield every other principle and desire to a base subserviency to these ruling passions, Mr. Allen was likely to possess an influence over him, which few other young men could have obtained; and this influence was presently exerted in procuring justice to Mr. Adams. But we must now return for a while to the family of the latter.

When Mrs. Adams departed on her journey, she left the family in the care of Katharine,—no very moderate task for a girl of seventeen, who had spent her days at school; but she had also been taught the useful lessons of industry. And considerate beyond her years, that her father might not be altogether lonely in his cell, she despatched to him a daily bulletin of the state of the family during her mother's absence,—one of which we transcribe for the amusement of our readers; not because of their extraordinary interest or merit, although Mr. Adams thinks they deserve a place in the archives of state.

DEAR FATHER,

Since you are now a prisoner, and by mother's absence I am now chief in command *pro tem.*, my duty to you requires that I should give you a daily account of the movements of this army of youngsters, whose tin swords and trumpets are now my only reliance beyond my own vigilance ; but I am at a loss in the beginning whether to style this troop a "*corps diplomatique*," a "*corps du garde*," or a "*corps d'artillerie*." The first would express very well their coaxing and persuasiveness ; the second would never do, unless their constant watching of the door for a chance to run away, entitles them to the name of guards ; while the last would be quite expressive of the boisterousness of their noise. If size and number were to regulate, I should call them the "*corps des enfans* ;" while if the havoc of bread and butter is considered, "*a foraging party*" would be the only proper name.

Mother left us this morning at seven o'clock. I cannot tell you how we all felt at parting with her ; even Master Dickon was rebellious before she left, and surly afterwards ; but those of us who could understand the purpose of her journey, tried to be as cheerful as we could. Our breakfast was very early, and I had two hours before school time to see the boys in fitting order to go ; they all behaved

very well, and did very cheerfully whatever I bid them, which is certainly another wonder of these times.

The forenoon was spent very pleasantly in sewing, and the young masters soon forgot all their privations in play—dinner at three o'clock, the boys all at home—a boiled egg, some bread and butter, a glass of water and an apple for each. You see I am not extravagant, nor do I intend to make cookery any part of my study, until I can have the privilege of making a pudding for you and mother to eat together.

This afternoon I missed my books greatly. No one can know the value of a little library until deprived of it. If the chancellor had half the wisdom in his head which those books contain, he would have left them for me to fumble still.

We have taken our tea, the little ones are sleeping sweetly, and Charles says he will take this to you before school time in the morning. Do detain him if you can, long enough to write a note, and say, if it will answer for me to make you a visit with Master Dickon to-morrow, after the rest are gone to school.

Affectionately your Daughter,

KATHARINE.

We never hope to be admired for our authorship, by introducing these simple truths ; and the haughty or supercilious reader, or the fashionable coquette, if they open here, or may chance to have followed us thus far, will now probably throw our book aside in contempt. But we can assure them that well trained minds, in circumstances of difficulty and deprivation, draw their resources from the simplest circumstances ; and it is by turning trifles to account, that such minds are always sustained, when those who lack the power fall into dejection and ruin. And Mr. Adams found in these trifles a pleasure and gratification that yielded him more support than any prospect of relief.

CHAPTER X.

—tell

Thy tale of danger to some happy heart,
Which hath its little world of loved ones round,
For whom to tremble; and its tranquil joys,
That make earth Paradise—

THE hurry and excitement of an early breakfast, and getting on board the steam-boat, left Mrs. Adams little time for other thought on the morning of her departure; until the boat had launched out into the river, and was now under full way. Then she found herself in that greatest of all loneliness, the midst of a crowd of stranger passengers. She had never been in a steam-boat before, without the protection of her husband; whose conversation, always sufficient company for her,—enlivened by constantly changing scenes, the freshness of the country air, the calm yet undulating water, the beautiful landscapes skirting the river, and whose extensive acquaintance always brought the recognition of agreeable passengers,—was at such times, peculiarly pleasing and animated. Now she had left him in the gloomy cells of a prison,—she was alone—a wanderer from *home*, fleeing as it were, “as a bird to her

mountain," to seek aid and protection for her mate. The fresh air had no invigorating power for *her*. The rich and parti-colored landscape of autumn, as the sun now just gilded the hill-top, had no beauty for *her*. The gay, bustling and laughing crowd, gave her no mirthfulness, it sounded as a knell to her ear. Could it be possible that such changes were wrought on the soul by mere outward circumstances, a mere change of fortune and the world's lost smile? She took out her "travelling companion," a PRAYER BOOK, and read those beautiful passages from the PSALMS and the Gospel, beginning, "Thy testimonies are wonderful; therefore doth my soul keep them," and "Behold I am with thee;" and she was cheered; she felt that her religious principles, long cultivated and established, were now to be her support; and she was encouraged in her undertaking, when without such principles even with *her* natural strength of character, she would have sunk under the oppression of her spirits.

A passage up the Hudson and across the western lakes, is one full of interest and beauty, even when autumn has disrobed nature of her verdant charms. The golden tints of a mellow sunset on the lakes, and the echo of every sound which at that calm hour reverberates along the shores, speak the eloquence of nature to the soul.

But the incidents of such a journey to one in her state of mind, cannot have any remarkable interest, except, as connected with its principal object ; and as nothing occurred during her progress, of a character in any way affecting that, we must forego all that detail which is usually so interesting to the lovers of nature and the incidents of travel. Mrs. Adams met with no embarrassment or delay ; her appearance and manners commanded respect and attention to all her wants ; and, to the honor of our country be it said, that, although such experiments are not to be ventured upon without cause, yet a lady of character *may* travel seven hundred miles alone, without danger of insult or embarrassment.

A day in the steam-boat, part of the night on the rail-road, another day in the public coaches, and a night and a day in the steam-boat again, brought her within a few miles of the end of her journey : and when she had reached it, she felt repaid for all her toil and exposure ; for she found all the presentiments of her fears fully realized. Mr. Adams' brother was but just recovering from a "fall fever," and was still confined to his room from debility.

His surprise at seeing his sister alone, was of course very great ; but it was lost in a greater and a more absorbing interest, when he heard from her the story of his brother's persecutions : he had not

supposed that his difficulties could ever arrive at such a consummation. "But how," said he, "my dear sister, did you dare undertake this journey alone?"

"With less fear," she answered, "than I should have dared to decline it, when convinced, as I was, that it was my duty."

"But could you not have sent? did my brother know of my illness?"

"He knew nothing of it. We could not have sent any one who would have taken proper interest. He was about to write only, but something told me that I must come. I have his letter."

"You must be exhausted."

"I am quite equal to returning, if I can accomplish my purpose."

A lady now entered, who had evidently left her family cares, hastily to adjust her toilet. Her just yet goodly proportions bore good evidence that she was no contemner of the gifts of Providence in the shape of substantial comestibles; and if she had ever heard of Dr. Sawdust's Lectures on Health, she had never found it necessary to adopt his principles to preserve her own; while her cheerful, smiling, rosy face, carried conviction with it, that such indulgence had begotten no more evil passions in her breast, than contentment with sweet charity, the mother of

every virtue. It was Mrs. Isaac Adams—a mutual recognition and embrace followed. Tears, always a lady's resource, whether in joy or in sorrow, supplied the place of words; and as these have effectually saved our ink from flowing now, we will leave the ladies to retire to their chamber, while Mr. Adams reads the letter from his brother.

The news of the arrival and the adventure had now spread to the kitchen, the dairy and the farmhouse, with many embellishments of haps by the way. A quarter score of youngsters came tumbling into the house with looks of curiosity and wonder, to hear the news; and Michael, an honest Irish *orange boy*, of about five and thirty years' growth, who stood in the capacity of farmer, hostler, "chore boy" and servant of all work, having heard from his loving spouse, that the lady had been robbed of her husband and her money by the way, came up, and knocking at his employer's door (master he called him), put his head within, and asked, "May be yer honor would wish something of me?" "Yes, Michael," said Mr. Adams, "take this note to Counsellor — with my compliments, and tell him I desire him to call here at an early hour this evening."

"And is that all, yer honor?"

"Yes, Michael, that is all."

A look of mortified disappointment and regret, was all the reply that came from Michael. He had expected nothing less than the getting up of an "orange party" to go in pursuit ; and it so revived his memory of the shillelah, that he was fain to condemn in his heart the use of counsellors altogether.

It so happened that the counsellor was not at home when Michael left the note ; and Mr. Adams thought it necessary to send to a learned judge who lived not far off, and ask *his* presence at the same hour ; and he came punctually.

In the mean time the counsellor, having returned, and received Mr. Adams' note, wended his way there also. Aware of Mr. Adams' late indisposition and still uncertain health, the latter entered the room with that peculiar solemnity of expression, which a lawyer may be supposed to wear when sent for, to draw up a "last will and testament," wherein certain of the chattels are supposed to find an abiding place in the lawyer's hands, in the shape of counsel fees, executors' commissions, &c. ; and, as Mr. Adams had now become a man of large landed estate, he felt resolved to do *his duty* in examining and confirming titles to the heirs testamentary. He could not exactly comprehend the presence of the judge ; but, as he was a personal friend of Mr. Adams,

he thought that perhaps he might have been invited to drop in as a witness, and the lady too was perhaps some disinterested acquaintance come for the same purpose.

When an introduction had taken place, and the party had become seated, we shall forgive the counsellor that a slight look of disappointment shaded his visage, and that he gave an uncalled-for hitch of his chair, and crossed his legs the other way, when informed of the object for which his presence had been desired : for he was really a good man, and had no more passion for lucre than is justifiable among those who "provide well for their own." But when he was informed that there was a lady in the case, and heard something of her story, the solemn gravity of his countenance gave way to his natural good humor, the spirit of his younger days was revived, and having recourse to his snuff-box, "Well, well, judge," said he, "this is worthy of our united attention, and we must not hold the lady subservient to our dignity of judge and counsellor, but despatch her again at once with proper credentials to her imprisoned knight."

After reading Mr. Adams' letter and understanding the case, our fair heroine was desired to tell her story also. Ladies always tell the whole of a story, and their sweet sympathizing hearts are sufficient

excuse for always leaning to the pathetic. Mrs. Adams told her story with more truthfulness than many would have done in her circumstances, but still its coloring received the tint of her own mind.

As this meeting was not a properly constituted court of law, we shall commend the judge and counsellor, that they did not embarrass her eloquence by keeping her to "matters of fact in evidence," and we shall forgive her warmth, for the love she manifests towards her husband. In her appeal she said, "Oh! could they have *known* my husband, they would *never* have been so cruel. I have watched *all* his actions, and he has *always* been just, and always kind. We lost our property by the fire, and he *never* murmured. He was prostrated in business; and he only regretted his *creditors'* loss. We were followed with *persecution*, and *still* he kept his integrity. We were stripped of every comfort and convenience, and *yet* he was cheerful. We were reduced to want and almost to *hunger*, and he only grew more kind and more thoughtful; and he was sent to *prison*, only because he loved the truth better than liberty. I *left* him in that *cold, damp* and *gloomy* place, which made *me* faint from the oppression of its air, surrounded by *felons*, and shut up as if he were one of them; and oh! he will stay there and be thought *guilty*. My spirit could have *flown* here

for his relief—for no difficulty or danger that could befall *me*, was so great as *his* suffering; but I could *never* have come, had not some kind and unknown friend sent me a relief to my wants. May God look on that kind friend, and give him “the blessing of one that was ready to perish.” When she began, a son of Mr. Adams, a boy about nine years of age, took his position facing her, and near the fire, and listened so attentively, that he was insensible to the heat, which now and then caused him to give an involuntary hitch of his legs, and a jerk of his trousers. As she progressed in the relation of her husband’s wrongs and their mutual suffering, his fists became clenched and his teeth set; but when she came to that part where she had taken leave of him in prison, her own destitute condition, and the relief afforded by an unknown hand, he gave two or three twists of his head from one side to the other, as boys are wont to do when vowing vengeance against an aggressive school-mate, and with two of those bursts of a heart overflowing with passion and emotion, commonly called “blubbers,” he left the room. The judge wiped his spectacles; the counsellor tried the contents of his snuff-box, but as that served only to irritate the moisture, he was obliged to have recourse to his handkerchief. “Deil’s in the woman,” thought he, as farmer Dinmont said of Dominie Sampson, “she’s

garred me do that I haena done before since my old mither died."

The case being now fully understood, the counsellor desired Mr. Adams to hunt up his letters from his brother touching the matter, which being familiar and family letters, copies of them had never been preserved by the latter. When found, they were seen to express clearly that the loan of the money some ten years previous was designed as a contribution to the support of their mother, who was now deceased; and consequently the repayment of it was not in fulfilment of any obligation or contract, but was in fact a gift on the part of Mr. Isaac Adams, for the particular purpose of enabling his brother in his extremity to support his family. But as these letters might be disputed when presented in court, and their evidence thrown out, the judge in the morning granted a process for taking Mr. Adams' testimony in the matter, and, to meet the forms of law in the case, appointed counsel for cross examination. This being done, the testimony and letters were all attached, and with the addition of a due quantity of broad séals and "red taste," to certify their official character, the counsellor in the afternoon handed to Mrs. Adams a package, which he said "would take the roof off from the prison, if the turnkey should refuse his office." And now she was prepared to

return ; but as it would not speed her passage to leave until the day after to-morrow, she consoled herself for the delay by the pleasing anticipation of her husband's instant release when she returned.

In the evening the judge and counsellor brought their wives and daughters, and Mrs. Adams, now happy in the complete success of her mission, and cheerful from the hope of soon consummating all her wishes, became animated in conversation ; amused the young ladies with city gossip, and city fashions ; talked of books and authors with the counsellor, agriculture, law and commerce with the judge, and told stories to the flaxen haired children.

Mr. Adams appeared to gain new strength and vigor from his day's exertion, and entered so cheerfully into the hilarity of the evening, that his loving spouse professed to entertain a notion, that her sister's company might be dangerous to her own influence over him. All were happy, particularly master Tommy the blubberer, who thought that if his aunt would prefer to ride home on his colt, he would make her a present of it.

The following day, the weather being fine, Mrs. Adams rode through the village, and some miles around the country, to view the farms of the neighborhood ; and the universally prosperous appearance of things, then first suggested the idea to her, that this would be a pleasant retreat from the irri-

tating influence of her husband's embarrassments. When she returned therefore, she made many inquiries of her brother about the value of property and produce, and the facility of markets, all which she noted in her memorandum, that she might be able on her return to give her husband every necessary information in a business-like manner.

The following morning she took leave of the family at an early hour, having made friends of all she had met with during her short stay, particularly of master Tommy and Michael, who, as he took her trunk to convey it to the carriage that should take her to the lake, remarked, "If yer leddyship would wish a *boy* to serve ye in the city, I would recommend you to a cousin of mine, Patrick Donegan."

"How old is your *boy*, Michael?" asked Mrs. Adams.

"Sure, and he may be about *two and thretty*."

"He must be a fine *boy*."

"As good a boy, and as good a quean he's got, as ever your leddyship would wish to serve ye."

"I will remember them; and what shall I tell them from you, Michael?"

"Tell them, if your leddyship pleases, that excepting Ireland, there is no better country than this, for a poor man to feed his spalpeens."

The counsellor accompanied Mrs. Adams to the town on the lake where she should embark, and

there meeting a gentleman of his acquaintance, a merchant, who was coming to New York, he procured her his escort; and shaking hands with Mrs. Adams just as the boat was about pushing off, he said, "Tell your worthy knight when you have struck off his shackles, that we have no court of chancery here, and are in want of some ladies like yourself, who can teach the men manners and our daughters courage."

She had now a journey of seven hundred miles before her to return, and it was late in the season; she was on board the last boat intended to pass the lake for the season; and had any thing happened to interrupt its safe passage, she would have had a journey of two or three hundred miles to perform, through comparative wilds, with bad roads and poor conveyances; but she performed the trip in safety. When she arrived at the termination of the rail-road, that night the "first snow" set in, and rendered the roads almost impassable for the post-coaches for several days afterwards—the very next train of cars that followed her ran off the track, and some bones were broken; but she escaped all these, and as we wish to follow closely upon the heels of her fortune, we must again forego all descriptions, digressive from the immediate subject of our story, and, taking a long stride, land Mrs. Adams safely, and without

accident, on the wharf on the North River, at seven o'clock on the morning of the ninth day after her departure.

If any wife and mother ever reads this book, when she gets to the last period, we must beg her to reflect a moment, what would have been her own feelings at that instant. Had nothing happened to her children?—to her husband?—were they all well? She got hurriedly into a carriage—she felt impatient as it rolled lazily over the pavements—her heart went before her, it was already at home, and embracing her offspring, it had already penetrated the cell of the prison, and exultingly given to her husband the pledge of his release. But how slow this carriage rolls along the way! could she but just know that all were well before she got there—could no one have been at the boat to tell her? The carriage stopped, and she alighted hastily, her heart beat high and her hand trembled as she laid it on the door latch. But one moment more, and tears of joy bedewed the eyes and coursed the cheeks of mother, daughter and little ones. Home! yes, though in a garret, thou art sweet to the soul of her who leaves a pledge behind.

We would fain be done with scenes, and let no more tears be wrung from the eyes of our paragons; we love them too well—we regard them as the ap-

ple of our eye, and would gladly hereafter only nourish and cherish them. We fear that we have already caused them to flow too freely, to suit the taste of our *heartless* readers; but nature will work, and we cannot help it.

Mrs. Adams had yet to see her husband. We have before said that we had no taste for scenes, and we shall hardly dare trust ourselves to be a witness of this, but only conduct her to the prison-door and sneak off, trusting to some gentle inspiration to whisper us the truth. She had learned from Katharine that he was well, and she was happy; with what different feelings did she prepare to meet him in prison now, contrasted to those she experienced ten days before! Now she could not get there quick enough, she took a carriage and bade the coachman speed; her heart leaped in her bosom when she alighted from it nimbly as a fawn.—She thought the turnkey the laziest fellow she ever beheld, as he trudged down the long narrow passage; but the door at last opened, and she was admitted.

Mr. Adams was not commonly given to any great overflow of his feelings; but if certain audible sounds heard outside the cell-door were not to be mistaken, had Tommy the blubberer been there, he would have been put to shame by Mr. Adams when he pressed that woman to his heart again.

CHAPTER XI.

Ye sons of mercy ! yet pursue the search ;
Drag forth the legal monsters into light,
Wrench from their hands oppression's iron rod,
And bid the cruel feel the pains they give.

MR. ADAMS, now reasonably hoped to be immediately released from his confinement. A motion had been made, and a day set for hearing his case in the vice chancellor's court, by whom he had been committed. This was in the shape of a rehearing, or a new trial granted, upon affidavit of fact, that new testimony would be produced, sufficient to clear the prisoner of any guilt of contempt. This course was thought best, because, although he might have been more speedily brought before the Recorder in the court of sessions on a habeas corpus, yet a rule of practice had obtained for the courts not to interfere in the decisions of other courts in such cases, except when it was apparent that such court had no jurisdiction at the time. The habeas corpus would probably be opposed by Messrs. Gammon & Gouge, on that ground, and Mr. Adams

might be thrown back upon chancery, and lose all the time so taken up.

It is the practice in all our law courts, that cases are taken up in their turn, according to their entry on the docket; but the wisdom of the chancellor has found out a better rule, as the practice will show. Certain days of the term are set apart, which are called motion days. To gain a hearing on any case, it is necessary in the first place to give notice of the intention to make a motion, and this notice entitles all the parties to a fee. When motion day arrives, the motion is made, and granted or denied, as the case may be; this gives all the parties another fee. If the motion is granted, a day is set for the hearing; when the day of hearing arrives, there may be some other cases before it, and if the lawyers choose to take up the whole time from ten to three o'clock, in their arguments, or wrangling upon these, instead of taking your turn upon the following day, or as soon as it may be reached, you are thrown back upon your first position, and obliged to wait for another motion day, pay another fee, go over the same ceremony, and, three to one, meet the same result. These rules and practices afford the best comment which can be made on the delays of justice and immoderate expense of suits in chancery, and coupled with the rule of *classification of causes*, they easily explain

the reason, why those who get into chancery never get out of it.

We are now to discover the great wisdom and justice of these rules, in their operation in the case of Mr. Adams. Held in prison as he was, like a common felon, guiltless of the smallest offence against the laws, and provided with the most unequivocal testimony to establish his innocence, he must yet wait, and take his chance of all the delay incident to this state of things. Mr. Adams was not aware of all these difficulties, and he had therefore looked forward to the day of hearing, as the day of his release. He had seen a terrible delay in the suit from the first, but his counsel attended to the affair, and he had not informed himself of the particular causes. He knew something of the statutes, to be sure ; but whoever thinks to understand the operation of law, or rather I should say, the practice of lawyers, by reading the statutes, will find them differ as widely as any fact and theory ever did. When the day of hearing arrived, (perhaps it were better to call it the day of talking, for surely, nobody heard half the nonsensical jargon of words, technicalities, terms, quotations, references, assertions, suppositions, appeals and worn-out slang, which were there uttered,) there were two other cases to be heard before Mr. Adams', and the patience of his

counsel was fast oozing from his fingers' ends, as he saw hour after hour of the time consumed, by a little, crooked, sickly-looking, black-headed, bushy-haired lawyer, whose name and fame the writer wotteth not, and to describe whose person, mind, or manners, as here exhibited, would exceed the possibility of his happiest effort, at showing a pettifogger in his element. The whole value of the principle for which he was contending, would probably have been compromised on his part, for the price of a day's labor, and the whole point of his argument might have been stated in a single abstract proposition. But the sun actually run his course, in spite of this superior luminary, and at three o'clock, was just where it ought to be, notwithstanding that this gentleman had got no farther in his case, than when he first started; but the chancellor was nearer his dinner, and so much at least of the end of creation was accomplished by this day's work.

Mr. Adams' case, as the reader will understand, went by without a hearing, and he was just where he was a week before. We shall not wonder, therefore, that this disappointment cast a damp and a chill over his spirits, when he received a note from his counsel, informing him of the result. His prison walls looked more gloomy, the iron door grated more harshly on its hinges, as the turnkey, who

brought him his supper, shut it behind him—his bed was harder, and he turned with feverish agony upon it, unrefreshed by the balmy influence of sleep.

The counsellor went to see Mrs. Adams in person. She was watching at the window expecting to see her husband; and when she saw the lawyer instead, a sudden flush passed over her frame, a dark thought of mingled suspicion and fear filled her mind, her heart beat violently against its casement, and now she turned pale and trembled.

We have before said that woman's affection can endure any thing, as long as the exciting cause lasts, but the reaction is often too much for their delicate natures. Mrs. Adams had been sustained in the fatigues of her journey and her mental excitement, by the hope and prospect of relieving her husband. When she returned to her home, she thought all was accomplished, it was only to wait a few days for the forms of law in such a case, and then she thought she would greet him again in his own humble dwelling. She knew nothing of the practice of the courts, and could understand no cause of delay.

As she had settled down quietly after her return into this hope and expectation, the reaction of the system became manifest, she had overtaxed her constitution, her mind had been overwrought, there was

a lassitude and sense of weariness in her frame, she felt debilitated, she was nervous and could not sleep, sometimes depressed in spirits, showing an inaction in all the functions of life; in fine she was in just that condition of health which requires a delicate care, nourishment, and a quiet mind, to restore nature to her just equilibrium, and when slight causes of a contrary tendency may produce disastrous effects, for want of power in the constitution to resist their consequences. She wondered at herself, that she could not control the trembling that seized her limbs, when the counsellor informed her that her husband must lie in prison at least ten days longer. Her own imagination pictured to her only another disappointment, and yet another; the pallor which had overspread her cheek remained there; it did not yield to a healthful glow as formerly, when nature, alive to every healthful principle, drove out again the momentarily retiring blood into every vein—now it sought the cells of her heart, and remained there. It was near night, and she retired early; but her pillow gave no rest, it was moistened with the cold sweat that wept from every pore. A countless number of times she turned from side to side, and still wondered at her own discomposure.

Katharine had seen her illness with alarm. She arose early in the morning, as she supposed, to re-

lieve her mother from the duties of the family ; and going to her bed-side, she saw indeed that the glow had returned to her cheek, but it was the scarlet-glow of fever.—Mrs. Adams also rose, and in attempting to cross the chamber, she fell a senseless weight upon the floor ; and when she opened her eyes again to the kind intreaty and caress of her daughter, they were fixed and glazed in their sockets. With a wild and almost terrific expression of passionate delight, she clasped her daughter in her arms, and exclaimed, “ My husband ! ” “ My dear mother ! ” exclaimed Katharine ; and falling on her knees, she besought God to restore that loved being from the wreck of mind which she now saw before her.

We will not pain our readers by leading them through all the anxious and watchful hours of a sick chamber, when after the first paroxysms of a violent disease, the flickering life just glimmers forth but a feeble light, and every moment is big with hope, or filled with fear, lest in the next it should go out forever. Where is that son—that daughter, husband, father, who has seen the ministering angel of their happiness thus stricken low, and has not watered his couch with tears of sorrow for her suffering, and day and night without ceasing, sought to administer the balm of healing virtue, that would

again restore her to life and love ? Oh ! let me never look on such, lest I sin against God, and hate him in my heart.

The delirium of fever was not of long duration with Mrs. Adams, but its violence was such as entirely to prostrate nature. We now see her in a darkened room where all is still, and her snow-white pillow smoothed with the utmost care, told that she too had a ministering angel. Unable to raise her hand, or to speak above a whisper, her eyes follow with a look of love the light tread of the little ones, and her ears drink in the soft accents of their whispers ; and now, when they have mounted each a chair, and by the side of her bed bend on her a look of suppliance and woe, oh ! her very *love* is anguish.

Katharine was now the woman, and well she fulfilled the part. With noiseless step and ceaseless care, she supplied every want and watched each sigh that sought relief, and when the watchman without, unheeding of the thief that prowls through the midnight drear, slumbered at his post, like the wakeful bird of song, that tunes his sweet lay when others sleep, night after night she kept her vigil.

But Katharine was not always alone. “ Whence that sylph-like form, that flits around my bed ? a spirit of a purer world ? Is this the world of spirits

then ? how pure they seem—she stands by my side, a guardian angel !” A gleam of reason shone in her eye, a smile played feebly on her lips, and she softly whispered, “ Amelia !” There was recognition. Amelia kissed her pale forehead, Katharine knelt, and Mrs. Adams sunk to a long and calm repose. But this was not that sleep which the angel’s trump alone shall wake ; oh ! no. The prayer was answered, and Mrs. Adams was restored to reason and to life.

Leaving her now, therefore, and the family in the care of Katharine, to recover slowly from the effects of a violent fever, her means exhausted, and incapable for many weeks afterwards of the least exertion, we return to Mr. Adams in prison. Could we take Mr. Heartless and his associates along with us ! but no, he is heartless, he cannot follow, not even in imagination—he would feel nothing if he was there himself in Mr. Adams’ circumstances, except, perhaps, the desire of revenge, or a dogged submission, as the brute submits to be chained. He has not a soul to be saved or lost, that could ever feel or appreciate a motive above or beyond himself. So then we must have gentler company, but we *shall not* go alone.

We have before mentioned the effect on Mr. Adams of his disappointment in not being released,

He had been accustomed to hear from his family daily, but the next day passed without hearing a word, and he felt more lonely than ever—the succeeding night passed yet more sleeplessly, and the following day he marked the lingering hours that passed, and pacing his cell, he wished that more of them were gone; still he heard nothing from his family. Something he knew must have happened to some of them, and he began to feel a parent's anxiety. Katharine had not yet had a moment since her mother's illness, when she could write her father a note; but Mr. Allen had now become acquainted with her situation, and called to see *him*. He conveyed to him the account of it in softened terms; Mr. Adams knew this from the indirectness of his answers to inquiry, and he was therefore left to all those agonizing thoughts, which are ever the result of fear, hope and suspense.

It was now the third day since her attack, and Mrs. Adams was no better—he knew she was no better, for Mr. Allen would only say that the physician hoped for a favorable turn soon. What would he not give now to be released!—he would willingly and humbly petition the chancellor or the governor for a mitigation of sentence or for a pardon and release, and let the world believe him guilty if they would; but even this required the customary

form, and was attended with the same delay as any other proceeding. The raging fever and the grasp of death would not stay for this. He knew that he could not help her, or stay the fell disease, but he could calm her wandering mind, soothe her anguish, administer to her wants, and if need was, perform the last offices of love. He feared that she must suffer from privation, her resources were very small, and she must have entirely expended *them*. He had no power to help her, and *she could not* help herself; he saw her reduced to the last sad necessity as a means of subsistence—humbling, mortifying and unfeeling charity. And, here *he* was, *intombed*, surrounded by the close walls of a prison, without the power to step beyond his iron portal, or to lift his hand for their relief.

Has any one of my readers ever seen a poor victim perishing in the flames, or engulfed in the floods, without the means or the power to reach him; and that victim a near and dear friend, a companion? and what were *his* feelings then, but for those few moments? and how long could his nature have endured their intensity? and what a deep wound does memory inflict on the soul, every day, when she paints their image on the mind? Yet these were Mr. Adams' sufferings, not for a few moments only, but for hours, days and nights to-

gether ; and think you then that the impression will ever be effaced ? And what does Mr. Heartless think ? Why, he thinks nothing at all about it, and cares as little.

We begin to fear that in spite of ourselves we shall spoil our story for the lovers of variety, by making heroes and heroines of all our characters who are worth making any thing of ; but we cannot help it, if there are good points about them, they *will* show themselves, and our duty is, only, to record the facts.

We shall forgive Mr. Adams that his judgment of the world's charity was harsh, and that he looked with affright on any situation that would expose his family to such a reliance. Had he here adopted Mr. Gouge's standard, and judged the world a little by himself, he would have been less severe ; but he judged from his experience, rather than his own actions, and surely we have seen that, upon this rule, he had no right to draw a very favorable conclusion. If we apply the same rule to account for his extraordinary reluctance in soliciting aid or asking a favor, we shall not think him unreasonable ; and we commend the pride that avoids an obligation, which one has no prospect of repaying.

He would, indeed, now have solicited pecuniary aid from Mr. Allen for his family ; but that gentle-

man volunteered to say, that, they were in every respect comfortably provided. This was indeed a mystery, but so it was ; and as these are important matters in such an emergency, we will forestall Mr. Adams a little, and let the reader know all about it first.

When Mr. Allen learned the situation of Mrs. Adams, his considerate mind told him at once, that she must soon be in want ; for the reader must still bear in mind, that now for near a year past, the family had been dependent on what the parents might by some means earn from day to day, for their support. Nothing which they had ever possessed was now at their disposal, all was in the control of the court of chancery, and neither of them had now the power of procuring a shilling by their own exertion. Mr. Allen was also aware of the difficulty of their accepting any thing from him, in the shape of a debt due from his father, in which light he now viewed the matter in which Mr. — has already appeared as his father's agent ; and delicacy forbade him to tender a loan, or a gift, unasked.

None but a noble mind ever sought to do a good action without hope of reward, and to hide its own merit in it ; and the least of such actions, are nobler in themselves than the greatest, which bring their own reward with them.

The reader knows that Katharine's taste in drawing had of late supplied her toilet. Amelia had borrowed her port-folio to make some copies ; and just at this time, by one of those unaccountable freaks which fancy sometimes plays, Mr. Allen fell greatly in love with a piece which had cost Katharine a great deal of labor, and contained an excellent likeness and full figure of her mother when in health. It was a landscape with a group of figures. Amelia signified Mr. Allen's desire to possess it, which was of course resisted by Katharine ; she would freely give him any other or all the rest, but she could not, she *would* not, part with this.

By a strange principle in the minds of young gentlemen, in matters where the other sex are concerned, resistance only begets passion ; and Mr. Allen was now more in love with the picture than ever, it was so like a scene in his own parterre ; he had it already in his possession, and he *could* not give it up ; he must send it home, if it was only to submit it to the burin of an artist, and then return it unharmed. And, like certain other young gentlemen of less virtue and no principle, who sometimes commit an outrage on propriety, by carrying off originals *with consent*, he determined to carry off this *vi et armis* if he should be reduced to such extremity. We surmise that he even hoped he might

be reduced to such extreme ; because, the more difficulty in the way, the greater value he was at liberty to put upon its possession : and if the reader thinks that his particular fancy for that piece only was stimulated by the anticipation of difficulty, he will do no injustice to his perceptive faculties.

The contest for the right of possession was very warm, and Amelia, being a sort of negociator and arbiter in the case, by some latent partiality or other, her mind became as much mystified, by the abtruse reasoning on the point, as ever the King of Holland's did on the question of the north-eastern boundary ; and with more tact than that king, or even King Solomon showed, instead of deciding that it should be cut in two and divided between them, she awarded to him the right of possession, upon condition of remuneration, adequate to the value of the picture, and the loss of an object which had become so much endeared. This proved satisfactory to Mr. Allen, who inclosed one hundred dollars in a note, with an assurance that a faithful copy from a steel plate should be added to the *sine qua non*.

Ladies who are fond of pictures and have begun to take an interest in this, must subscribe for the New York Mirror, where they will find the plate of the original in some future number.

When Mr. Adams had received a note from

Katharine, informing him that a crisis had taken place in her mother's disease, and that the physician now pronounced her case hopeful, with due care and nursing—that all their wants were well supplied, and friends were kind and attentive, he felt new and daily increasing cause of gratitude to that Being whose government and providence he acknowledged in all things.

Ten days more had elapsed, and there was no more prospect than at first, of his case being heard before the chancellor; and measures were now taken to bring it up before his honor the Recorder on a habeas corpus. Application was made for the writ, and the question of jurisdiction argued, in which the eloquence and masterly effort of Mr. Adams' counsel had great weight, in procuring a decision in his favor, contrary to all previous expectation. If we suppose that in his construction of the law and the practice of the courts, the judge in his decision leaned to the side of mercy, and the promotion of that justice here which could not be obtained in another court, we shall do honor to his heart.

CHAPTER XII.

Justice extends her scales : in this
She lays a weight of truth, in that
Of lies ; and falsehood kicks the beam.

MEASURES were now taken for the issue of the writ of "habeas corpus," and as these are things which always take precedence of the "docket," in law courts, the next day was appointed for a hearing of the case of Mr. Adams before his honor the Recorder, Richard Riker, Esq., who is said to have been justly celebrated as the "*greatest criminal judge*" in the country. However the learned judge may have been esteemed in this particular, (and we are not disposed to endeavor to wrest the palm from him,) and whatever play upon words his political opponents may have chosen for the indulgence of their witticisms, we can bear testimony to one important trait of his character which does honor to his heart. Whenever there was a lady in the case, his spirit of gallantry gave additional clearness to his perceptions, and greatly sharpened the astuteness of his judgment.

Mr. Adams' counsel had examined the evidence collected by her, and pronounced it sufficient and duly authenticated. Mr. Adams was removed from his cell to the sessions room under charge of an officer. The lawyers were present, and the court had assembled.

Here again, the tenacity with which we held on to the fortunes of our hero (for such he has become) forbids us to embrace this excellent opportunity of displaying our powers of description.

The solemn pomp and dignity of a court and jury look well in a book, better in fact than anywhere else. The learned judge in his desk—his figure relieved by the crimson and tasseled tapestry in the rear, and his bare and bald pericranium glistening in the light, indicative no doubt of the clearer light within;—the lawyers forming a semicircle in front, interposing as it were a barrier against the assaults on justice from the rude multitude from behind,—or still more emblematic, perhaps, of the truth of their interposition to separate justice from the people;—the jury in their seats in solemn dignity waiting their call;—the officers with their white staves to command silence and to execute the mandates of the judge,—are all very excellent subjects for dilating upon, to make men appear pompous, and excite the awe of timid young ladies; but to the practised

mind, it is all dissipated upon the first sound of the crier's cracked voice, "Hear ye, hear ye, all people of the State of New-York," &c.

The court being opened and the case called, Mr. Adams by his counsel presented, first, copies of the evidence on which he had been committed to prison, and then the testimony of his brother and his own original letters to him ; and then, having been previously requested by his counsel, to state to the court the facts of the case himself, as being best acquainted with them, Mr. Adams first addressed himself to the court as follows :

"May it please your honor. Standing here as I do this day, in the eye of the law a condemned criminal, it may seem an overweening confidence, that I should at the same time boldly assert my innocence of participation in any offence against the laws, and charge upon the court of chancery the assumption of powers with which it has never been legally invested, and the establishment of rules for its government which are arbitrary in themselves, oppressive and unjust in their operation, and utterly subversive of every principle of equity which the establishment of that court was designed to foster and protect.

"It will appear on an examination of this case, that an attempt has been made by the plaintiff and

his attorneys, and rendered successful by the aid of the court of chancery, to invade the sanctity of a will, to wrest from my other creditors their just rights, to deprive my family of support, to deprive me of the power of doing justice, my wife of the property which was separately and distinctly her own, and finally to deprive me of my character and my liberty. And on the establishment of these facts, with the evidence submitted, your honor will then judge what offence I have committed, and how long I shall remain in prison.”

He then proceeded to relate the whole circumstances and persecutions of the suit, and closed with stating the manner in which his wife had obtained the evidence now presented.

Here Mr. Gammon interposed, and said, “That was impossible ; no lady could do such a thing, and no lady that was a lady would undertake it,” and insisted that she must be brought into court to testify ; the documents he thought were probably forged.

His honor thought differently: he thought she might be a lady and a pretty respectable one. The documents, he said, were properly authenticated—the lady’s testimony could not affect *them* ; and if what had been then stated was true, he thought that she had already had an ample share of hardships

without now being dragged into court to testify, and Mr. Gammon was of course overruled.

Mr. Adams' counsel then followed in application of the law, which he did with a force and in a style of eloquence that left no doubt of the result of the case in the minds of any one who heard him. It is not necessary for us to follow him in his argument, as the eloquence of his language, his clear reasoning and the unanswerable appeals which he made to the law on the various points discussed, would receive but a poor compliment at our hands. When he sat down, he clearly had the case all on his own side, and in his closing remarks, in alluding to the conduct of the opposite attorneys, the sufferings, privations and hardships which Mr. Adams had endured at their hands by the aid of the arbitrary power of the court of chancery, followed up only from motives of base and sordid avarice, he remarked, that they had probably "yet to learn, that there was no blush of shame so deep, but it might be rendered deeper by the pointing finger of contempt;" and suiting the action to the words, their mantling foreheads and cowering looks showed for a moment that even they felt the bitterness of his sarcasm.

But quickly recovered from the suffusion of his blushes, Mr. Gammon rose to address the court;

and as quickly found himself thrown upon the lawyer's privilege when no argument can be drawn from his cause—to make up whatever he may lack in this in abuse of the opposite counsel and his client.

“The counsel,” he said, “had insulted and vilified him.—He called on the court to protect him from his malevolence. He had been too long known,” he said, “in this community, to be thus traduced now in open court! and he had too much respect for himself, to suffer such language to pass without its reward. The gentleman would not have dared to have spoken thus, only as he felt protected by the court.—Such aggressions deserved the severest censure, and the judge ought to commit him also for contempt, and the two would be fitting company. The counsellor was well known; his character was well known; he was any thing but an honorable man; his practice at the bar was any thing but honorable. In regard to the case now before your honor, it is a perfectly clear one, Mr. Adams is a man of no character at all, but a very bad one, nobody would trust him—nobody would take his word, no, nor believe his oath.—He had cheated every body; he was prepared for proof of this, if his honor deemed it essential; (he would have called Mr. ——— as his witness in the case;) he was a common plunderer, a robber of the poor, (he never owed a poor man

whom he did not pay the last cent to, even in his own poverty,) in short he was no better than a common villain, a rascal, and Mrs. Adams was a ——.” Here Mr. Adams, who was in a position where he could be seen by Mr. Gammon, raised his outspread palm, with a motion as to stop—and Mr. Gammon, after stuttering and stammering for a moment, went on. “She could never have performed the journey she was represented to have done ; she would necessarily have been in the rail-road cars which ran off the track, and been killed ; and she would never have been here to insult this court with forged documents as testimony.”

Mr. Adams raised his hand again, and Mr. Gammon becoming confused and exhausted with his eloquence, it died away like the sound of the last notes of a caterwauling ; and he sat down consoled by several audible hisses from persons without the bar, which called forth the gruff voice of Constable Hayes commanding order.

Mr. Gouge attempted to follow with some remarks, but his associate had exhausted the subject, and his consequent embarrassment in finding any thing to say, caused a titter among the lawyers who sat around the table ; and the judge himself, who loved a joke, widened the orifice of his mouth, and gathered up the crow's feet at the corners of his eyes

into a smaller compass, as he asked him when he sat down, "if he had done with his *argument*;" but too much mortified to hear the judge, or to make any reply if he had heard him, the judge proceeded to remark:

"This case," said he, "is one which may be stated in few words. There can be no doubt of the power of the chancellor to commit Mr. Adams or any other person for a contempt—such a power is necessarily delegated to the courts to insure the respect of witnesses, and to control unruly persons who may be contumacious in refusing to answer; and there can be no doubt of our power to release him, upon such evidence being presented to our minds, as satisfies us that the prisoner has not been guilty of any wilfull contempt. The ground of the commitment in this case was, 'a refusal to answer,' and 'a violation of injunction,' in having received money and disposed of it, which that injunction forbade. We have heard the evidence read, and heard the argument on both sides, and the law has been clearly and I believe correctly stated by the counsel for the prisoner. From the evidence it appears that the money received by Mr. Adams was not from any debt which he or his creditors could have recovered in law, and as a necessary and natural consequence

of that fact, it could not have been covered by the injunction.

“ Mr. Adams had the right to receive money from other sources, not included in the terms of the injunction, and to dispose of it for the needful support of his family ; and upon this rule, the evidence here being admitted to be true, he had a right to receive this : while from the peculiar circumstances of the case, any more direct answer than that he made on his examination, copies of which obtained from the file in the chancellor’s court have been here read, would not have been strictly true. Admitting therefore the testimony which has been presented to be true, and there is nothing here to discredit it, the court will order the discharge of the prisoner.”

The court immediately made out the order for his discharge—and Mr. Adams was once more a free man. That is, free from bodily restraint. The injunction yet rested upon him in its full force, but he was free to breathe the air of heaven, free to dwell with his own family, free to use his hands if he could get any thing to do for their support ; and after receiving the congratulations of such of his friends as were in court, among whom Mr. Allen was not the last to bestow his friendly salutation, and whose gripe of the hand he thought none of the most tender,

he returned to his family with the proud consciousness of never yet having swerved from the right, nor succumbed to injustice and villainy. We must accompany him there; and although it was not a part of education in manners with the Adamses to allow more than three heads at the window at any one time, yet there were at least seven, and another behind the door ready to open it, as he went up the steps. And as they sat down to their frugal but happy meal, we must do Kate the credit to say that, now, at least, she had proved herself not incapable of the sublime art of cookery, in the preparation of the pudding promised some time ago.

The meeting between Mr. Adams and his wife was such as we should expect from our knowledge of their characters. A meeting of kindred souls, bound together by the purest affections of the heart, whom Heaven had separated for a time, and now, by an especial interposition and stay of the grasp of death, permitted to meet again. It was such a meeting as, if aught on earth can be a type of aught in heaven, shadowed forth the feelings of that hour when spirit shall meet kindred spirit there.

Mrs. Adams was feeble and emaciated, but the eye told that the spark of life was rekindling its vigor, and the light of love glowed in her bosom more brightly than ever.

Mr. Adams soon found that his strength had been greatly reduced by nearly thirty days' close confinement ; and his wife thought that the little pallor which now blanched his cheek would have made him all the handsomer, if it were not for the recollection of the cause ; but the natural vigor of his constitution soon resuscitated under the influence of air and exercise. He now learned from his wife in what way she had acquired the means to pay the expenses of her journey. He recollected what he had said to Mr. Allen when he visited him, and for a time he felt a degree of mortification ; for charity was one of the last things he would accept while he retained his faculties. But what could this mean ? The note which had inclosed it said it was "his just due," and here might be new matter of difficulty ; he thought it could not have been from Mr. Allen, and while his mind was relieved on one point, it was embarrassed on another. It might be a plan of Gouge's to entangle him ; but had it been so, he would have improved it before he was liberated. The bird that has been once snared is easily frightened, and he felt it was so with him. He had become suspicious and doubtful of his fellow men, and it embittered some of his best feelings, and encroached largely upon his happiness and his natu-

rally cheerful temper ; but the quiet serenity of his home soon overcame these difficulties.

If any of my readers who love their homes chance to be persecutors of their debtors also, let me point them to that love, and ask them, for how much more than the debt for which they are contending, would they be deprived of it in the same manner, even for so short a time as was Mr. Adams ? and then apply the golden rule.

CHAPTER XIII.

What ! think ye Heaven
O'erlooks the oppressor, if he bear awhile
His crested head on high ? I tell you, No !
The avenger will not sleep——
Justice is throned above : and her good time
Comes rushing on in storms.

If in following closely the fortunes of the “ victim of chancery ” to get to the end of the law-suit, we appear to drop a part of our characters for a time, we must beg the patience of our readers for a little time only.

Mr. Adams now found the pending injunction a bar to any successful efforts in business. His prospects of being able to settle with his creditors, had been cut off by the perfidy of Mr. ——, which left him nothing to offer them in compromise. He had lost nothing of his respectability in character and moral worth ; but, in a great city, a man is soon lost in the crowd,” when he comes down from his elevation. The first feelings of regret, and the first impulse of sympathy for a neighbor’s misfortunes, are soon forgotten in the hurry of business, and the

ceaselessly changing tide of circumstances, soon swallows up every thing in selfish pursuits. Even the "great fire" and the "commercial revolution" have long since been forgotten by all but the sufferers; and Mr. Adams now felt himself irrecoverably driven from his position, and forgotten by the world around him. He cast his glance abroad to see where he could situate himself better, and escape from his perplexities, and now the foresight of Mrs. Adams, in obtaining the information which she did when at the west, came to his aid. His feelings were, to wend his way thither as soon as the spring opened; but it would cost a good deal of money to take all his family with him, and he had not the means to pay the expenses—besides he would get there penniless, and be obliged to throw himself on the charity of his brother; and he was not qualified, by habit or constitution, to go into the wilds to prepare and cultivate a farm with his own hand; and he had not the means, even of procuring that; enough for the daily support of his family, was all that he could procure until the "injunction," that oft repeated and now hateful sound, was removed, which still hung as an incubus over his spirit and his exertions, and prevented his control of his wife's little property, through which, if it could be liberated from the grasp of the law, he could then make

himself comfortable on a farm. But if he left matters here in the present condition, it would be made havoc of by the lawyers, and, at best, be frittered away by expense of litigation, and, perhaps, the fact of his absence might be seized upon and improved, to bring the suit to a more speedy and unfortunate termination.

His prospects as a merchant, in those pursuits to which he had devoted the best part of his life, and would gladly devote his remaining years in the path of honor and industry, were cut off forever.

While Mr. Adams was thus meditating, we find ourselves already obliged, in gathering up the circumstances of our story, to resume some of our characters which we had left behind.

It has already been said, that Mr. Gouge had become disappointed and embittered, at the turn of things in the family of Mr.——. He had never in reality stood as a rival to Mr. Allen in the affections of Amelia. He was only such in his own estimation, with the mother's vanity and the father's *shrewdness* to encourage him. He felt mortified at his defeat, embittered by being discarded and slighted ; and whenever these passions exist in a mind without principle, the desire of revenge is a natural consequence ; and this had now become a ruling passion of *his* heart.

The position which he had affected to assume on his first entrance into society, had led to expensive habits, and, not being a very successful lawyer, he was obliged to have recourse to expedients to supply the necessary means. He felt that he had a power over Mr. — in regard to his business with Mr. Adams, for he knew much of that affair, and suspected more, from his knowledge of collateral circumstances which the former had withheld, when he sought his advice. He was resolved to improve these facts for two reasons, to gratify his pique, and to help his circumstances. It was with considerable boldness, therefore, that he applied to Mr. — to discount a bill for him, for an amount somewhat larger than his pecuniary credit and resources would have entitled him to receive at a bank in Wall-street.

That peculiar shade of expression which an avaricious man shows, when he feels the obligation and regrets the necessity, immediately crossed the visage of Mr. — when he heard the application; which, if it presaged no discouragement to Mr. Gouge, at once showed him the propriety of rapidly following up the application with powerful reasons.

“Really, Mr. Gouge,” said Mr. —, “I would like to be a borrower myself, but if it will oblige you —wont half the amount answer your purpose?”

"I would not have asked you for more than I wanted," was the reply.

"But the bill is a large one."

"Aye, true, but not greater than the value of my services."

"Oh! aye—yes—no—but we always pay for professional services when we receive them."

"When of a *peculiar* character, we consider them as always constituting a claim."

"Yes, indeed—true—right—but the bill is *very* large."

"If greater than the value of my services, it is but a trifle to the value of my *silence*."

Mr. Gouge feared no exposure on the part of his adversary. The reason was too powerful to be gainsayed! Mr. —— felt its full force, but with the ready tact that always turned business to account, (though with less *naivete* than the worthy lover of his gold, who, seduced into a larger charitable subscription than his heart dictated, immediately inquired if they would not make a discount for ready cash,) Mr. —— proposed in this case, that he would give his note for sixty days in exchange for that of Mr. Gouge, deducting the usual charge of commission. Although this would somewhat lessen the amount of ready money which he would be able to obtain for Mr. ——'s note or acceptance, all ob-

jection to the plan vanished from the mind of Mr. Gouge, when he remembered his own skill in tracery.

Mr. Allen, after his first introduction in these pages, and in the interim between the earlier incidents here recorded and where we again meet with him in his visit to Mr. Adams in prison, had spent the summer in travel through the United States, and had now returned to New-York, to wait the consummation of his nuptials with Amelia. In the mean time he had written to his father on the subject, who, knowing his son's correct principles, and having every confidence in his judgment, gave his consent; and proposed a liberal settlement. When he wrote to his father he knew nothing of the character of Mr. —, except his credit as a merchant, and he was his father's agent and banker here. Had he then known all that he now knew, he might have checked his passion and buried his love in his own bosom. He knew that the character of Mr. —, if truly known to his father, would be a serious objection; but now, he could not withdraw—he had no intention of withdrawing—he had no inclination to withdraw, for the “golden rule” was his rule: these objections therefore in the shape in which they now presented themselves, were such as must be surmounted, not abandoned. We have before seen the delicate situation in which he was placed

in the matter, and that was now to receive an accumulated power. He had once resolved on ascertaining what Amelia knew about these things, if any thing ; but now the extent and certainty of his own knowledge, rendered such a thing hazardous ; and he would not jeopardize her happiness, by exciting her fears or exposing the villainy of her father. Mr. Allen had been intimate with the Adamses since the liberation of the latter from prison, and the interest he had felt in their behalf being much increased by that intimacy, he resolved to see if he could not get him released from the embarrassment of the suit lying against him ; and having before been introduced to Mr. Gouge, and met him several times, he called on him at his private rooms for that purpose.

Mr. Gouge now saw that he had another opportunity for revenge, and his natural taciturnity always yielded to the indulgence of his strong passions. " I hope," said he, " that I see the heir of two fine estates in good health this evening."

" From the *great wit* of his first sally, I have reason to hope that I find Mr. Gouge in a communicable mood this evening."

" Exactly so, sir, sit down ; and in your case I will forego the usual preliminary of a fee, for a lawyer to open his mouth—you shall not ask me a ques-

tion, that I will not answer to doubly your satisfaction."

"A most gratuitous, but very timely proposal," answered Mr. Allen; and as he was before led to expect a reception not altogether polite, he was resolved not to be diverted from his object by this rudeness. He therefore sat down, and remarked, "I called for the purpose of inquiring, if some arrangement may not be made to relieve Mr. Adams from the perplexity of the suit which you are now conducting against him."

"Oh yes, certainly; pay the debt."

"But that, I understand, is impossible, and there are reasons why he will not accept the agency of friends to do it."

"Yes, true, he would expect another suit."

"I believe so, but would it not be better to abandon a suit so hopeless?"

"There are friends of yours who think not."

"May I ask who they are?"

"Mr. —, and perhaps his daughter also: it would have been abandoned long ago, had he not paid the cost of prosecution."

"What interest has he in the suit?"

"A great one—his own safety."

"And what object?"

"To crush Mr. Adams, and drive him from the city, and from all business."

“But why couple the daughter with him?”

“She knows her father is in my power.”

Mr. Allen suspended his interrogatories ; he had never witnessed greater impudence and knavery, than the manner and language of Gouge expressed—he saw through the truth at once ; Gouge had insulted Amelia with threats respecting her father, and now the truth was out. She *did* know more than he wished about the Adamses, and hence her interest in them, which had been much increased of late ; and hence too, her recent declared and open detestation of Gouge, a thing she had never expressed of any other being, and hence the agitation he had recently witnessed in her manner. His principles of noncombatism and his respect for himself, alone prevented him from tweaking the scoundrel’s nose, or taking a more just and exemplary satisfaction on the spot. But Mr. Gouge went on :

“Mr. ——,” said he, “is a very great villain.”

“Probably,” was the answer ; “and you are his hireling, *certainly*.”

“But not the rival of Mr. Allen.”

“Mr. Allen seeks no rivalry with such villainy as he finds here disclosed.”

“In the character of Mr. —— no doubt!”

“The character of Mr. —— must take care of itself ; I allude only to his baser tool, Mr. Gouge!”

"To waive ceremony, here is my card, sir, which I should be happy to redeem at Hoboken to-morrow morning at seven, without the aid of seconds; will you meet me?"

"I will meet you nowhere but at the bar of justice, when I have satisfied myself on one point."

"And that!"

"You shall be informed in all good time."

"I hope I lose nothing in your good opinion by my frankness?"

"Mr. Gouge has no place in my feelings beyond contempt."

Exit Mr. Allen.

"Ha, ha, ha! pretty bold in speech, but a chicken at heart. I have had my revenge though, but what is that "one point?" Has discovery followed so quick upon my heels? This must be looked to in good season. I must not be found "*behind the age.*"

Gouge had mistaken the character of Mr. Allen, in the same manner that he had mistaken that of Mr. Adams in the first place in regard to the disposal of his property, for he judged all other men by his own standard. His revenge was not by any means as deep as he flattered himself; for Mr. Allen was before sufficiently acquainted with the character of Amelia's father, to suffer no new regret or mortification at the disclosure. This indeed opened

new evidence of deeper laid schemes, but only added to his interest ; and when we reflect in how many ways these things were calculated in the end to affect the happiness of Amelia and himself, we shall give him credit for a disposition to do and promote that which was right, rather than to meddle in other people's affairs.

From the office of Mr. Gouge he proceeded to that of Mr. Heartless, from whom he learned, what Mr. Adams had long before known, that Gouge was pursuing the suit on his own account, to pay his own cost, and receive one half of whatever he might get. Heartless would hear to no reason—he said, it was the lawyer's own business, let them do as they pleased he would not interfere ; and Mr. Allen left the office, convinced of his utter *heartlessness*.

This threw a new light on the subject. Gouge would have abandoned the suit before now in hopelessness of success had not Mr. —— come forward with money to sustain it ; and thus under cover of another's persecution, to drive this injured man from the community where he feared his presence. “ A pretty trio,” thought he, as he walked home to his lodgings ; “ I am indeed in great company. A plot, carried out in the common affairs of business ;—I had thought such things were confined to love and

politics. But this is not all—there is something yet enveloped in this mist—that fellow Gouge startled at that ‘one point.’ ”

When men have once lent their hands to crime, they usually become the victims of their own fears. It is poetically said of all such in that most beautiful of all books of poesy, the Bible, that “they shall tremble at the sound of a leaf,” they shall flee at the voice of a bird—and that “*one point*” was the leaf rustling in the wind ; and the shrill note of the bird hidden in the foliage, which wafted on the summer breeze is music to the soul of innocence, sounded to the ear of Mr. Gouge like the trumpet clang of a host in pursuit. He repeated it many times, that “*one point*.” It made him weary of his pillow, and drove sleep from his eyes ; and when nature claimed her repose, it startled him in his slumbers. It haunted him in the day time, in his walks, at his meals, and pursued him in his avocations. He avoided Mr. Allen in the street, and thought of him only as the messenger and instrument of retribution. He shunned his acquaintances and could not be enlivened by their company. His eye grew haggard and his cheek blanched. Such is the effect of guilt beginning with want of principle, and progressing, from one degree of hardihood to another, until the soul is stained with *crime*.

But crime, if it begets fear, only hardens the heart—if it harrows up the conscience, it also indurates the soul. It may bring with it the deep stings of remorse, but it seldom yields to repentance. It is the mark of Cain—and he who carries it in his breast, is a “fugitive and a vagabond in the earth,” and afraid that “every one that finds him will slay him ;” his fear seeks only his own safety. Mr. Gouge had passed the Rubicon, unrestrained by any principle that could meet even the gentle baffling winds of fortune ; he had stained his hand with a “forgery” to supply his extravagance. And now, the slave of his passions and his fears, as he mingled in the crowd, or walked forth in the fields, whether he sat by the moonlight or turned on his couch, haggard guilt was his only companion, curses and bitterness his only solace. On the commission of that one last act, the feeble hold of every gentle passion forsook his breast, and he would now never stop the career of crime short of a desolate and ignominious death.

But a short time had elapsed, when it was understood that Mr. Gouge had found it necessary to take a journey of recreation to Washington for his health ; and in a few weeks more, he was heard of on the borders of Tennessee wending his way southward, towards that “El Dorado” of liberty and

knaves, the Republic of Texas. And thus, Mr. —, who had begun to feel his position in regard to Mr. Gouge, and the danger of trusting one who will aid in dishonesty, was released from a part of his fears by his hireling proving more profligate than himself. Mr. Gouge, he thought, was the only person here who knew any thing of his business with Mr. Adams, and *he* was now beyond the reach of his fear, and stood so committed, that he consoled himself for the payment of the bill lent him, by the reflection that he was now safe from his perfidy ; and he was soon convinced that he would never return, by the presentation of three several copies of the same bill, all sold or negotiated.

To be sure Mr. Adams was here still, but in circumstances so depressed, that he could easily hush matters with him ; if he should be clamorous, he was also powerless, and might easily be kept so.

But a spirit lived within his own halls that was soon to disturb his repose,—virtue cannot assimilate with vice, nor truth compound with falsehood : one must yield, or they must separate ; and Amelia — had enough of virtue and truth in her character to sustain her in both under all circumstances.

When the absconding of Mr. Gouge had become a matter of certainty, she felt joy at his departure, and pity for his crimes ; but her look and even her

smile now carried in it a tinge of sorrow which Katharine Adams had never felt in all her privations of former indulgence.

Amelia was happy scarcely anywhere but in Katharine's company. The presence of her father was almost irksome to her, even when Mr. Allen's presence also enlivened the scene. Mr. —, who would imagine no reason for any thing but such as could operate in his own breast, was at a loss to divine the cause of this altered demeanor ; and he endeavored to rally her on her prospects—he advised her not to visit the Adamses—he said, “they were gloomy people—their misfortunes had broken them down.”

“Ah ! my dear father,” said Amelia, “I have had sad surmises and have been told strange things, that it is not all their misfortunes that have broken them down ; indeed they are far from being broken down—they are the most happy people I know.”

“Then they have not been so unfortunate ?”

“Not by any means, father ; I think the misfortune is on our side.”

“Why indeed ! I have not been unfortunate, I was never more prosperous,” said Mr. —, who could never before comprehend misfortune in any other light than the loss of money, but on whose mind a ray of light and suspicion now broke.

“No, father, not in the loss of your property, but”—

“But what?”

“In ever having had any connection with, or giving any countenance to that Mr. Gouge.”

“But who says I had any connection with him? Did the Adamses ever tell you so?”

“No, father; they never any of them said a word about you or him; but Mr. Gouge, a few weeks before he went away, called here; and mother being out, he insulted me by saying that you was the author of Mr. Adams' difficulties, and he had you in his power, and showed a bill, which he said you had given him to keep silence, but that he should expose you nevertheless, and produce your bill as evidence against you. I was alarmed and called the servant, and bade him wait in the room until he was gone, while I went to my chamber. I never dared to speak of these things.”

“Scoundrel! and did you believe him?”

“No, I did not believe all that he said, but there are circumstances which I could not account for.”

“What circumstances?”

“The newspapers said, that you acknowledge and paid one of the bills, and that the others were forged copies.”

"What else?"

"Mother said that you had all Mr. Adams' property put into your hands when he failed."

He strode across the room, and stopping again in front of Amelia, asked, "Did you ever speak of any of these things to any body?"

"No, father, never."

"Does Mr. Allen know any thing about them?"

"I cannot tell, he went to see Mr. Adams when he was in prison."

"What! went to see him in prison? I recommended him not to attempt it, and as he has never spoken of him since, I supposed he had never seen him."

"He went to see Mr. Gouge also, only a week before he went away, to get Mr. Adams released from Mr. Heartless' suit, and had a quarrel with Gouge. He said that Gouge would have challenged him, but he treated him with contempt."

Mr. ——— again strode across the room several times, and muttered to himself, "Been to see Gouge, eh! had a quarrel too—but it might have been in my defence. What did Mr. Allen say of me after the quarrel?"

"Nothing—he has been here less frequently than before, and he has never spoken of *you* to me since."

“ Ah! held in contempt in my own house, eh !” and he now paced the room rapidly, twitched his collar, fumbled his pockets and turned pale.

Of all knaves, those who seek their purpose under cover of law, are the most cowardly ; and after the first feeble impulse of passion, Mr. —— shrunk into the sofa, like a coward and chastened puppy quailing under the superior virtue of his daughter, like the cur beneath the eye of his offended master ; while Amelia, more satisfied than ever of his participation in wrong, retired to her chamber to dissolve her grief in tears.

The misery which he had designed for others was now recoiling on himself ; and his craven soul conscious of guilt, and without the resource of a single virtue or noble principle to raise him above the meanest subterfuge, would willingly have sheltered himself in falsehood, or further crime ; but his fears told him what was quite true, it would be all in vain. Mr. Allen, if he did not know all, knew that he was a villain of the basest character. But he could have borne even this mortification had not his regrets extended to what he supposed the necessary consequence—the loss of a valuable agency, the prospects of his daughter, and the commercial relations that were expected to grow out of her union.

A coward spirit that dares not face the strong,

nor even stand in the presence of his own conscience, always seeks to vent his spleen on the weak and helpless ; and accordingly Mr. —— sought his wife, and showered on her head so copious a hail of rebuke and angry words, that she too was drowned in tears for nearly a week. But what were her tears worth ? There was no love, or sympathy, or holy emotion in *them* ; they were the crocodile's tears, that weeps and moans only to beguile its prey ; and they would easily have found a stancher in the present of a bauble, or the senseless gossip of fashion, to the very pinnacle of which she now thought herself elevated.

The occurrences just now related took place on the morning of a day in April, 1838, and as a happy illustration of our early position, that the occurrence of one trifling circumstance always leads to another, and the whole govern our lives ; this morning Mr. —— felt himself detained by his agitation from going to his business at the usual hour, until, at 12 o'clock, Mr. Allen called. Mr. —— would not have met him that morning for any consideration, had he not forgotten the possibility of his calling ; but now he thought that every thing went wrong, he forgot that it was because he was guilty, which only made it appear so,—the fault was in himself, not in the happening of things wrong : to the mind that is prepared for events, every thing comes right ; but

again, his craven spirit told him that he was guilty, and he verily thought that he was designed for sacrifice, and that this untimely visit was for no other purpose but to seal his fate.

There was once a law in England which compelled one condemned to the scaffold, to dig his own grave at the foot, before he ascended the ladder ; and the moral which it conveyed justified the seeming cruelty. It was to show to lookers on, that as sin of any kind wrought its own punishment, so crime digs its own grave ; and this law of morals now had an example in Mr. —— ; his very anxiety to escape, brought upon him the speedy disgrace and mortification which he feared.

Mr. Allen inquired for Amelia, she was *ill*.—He inquired for Mrs. ——, *she* was ill. “ Seriously ill ? ” he asked.

“ Why,” answered Mr. ——, “ those dreadful stories you know of Mr. Gouge about the Adams’ affair. I lent Mr. Adams a large sum of money, and took security, and it was right that I should get my pay while there was enough left to pay me. And then I was bound to secure the debt due your father for *his* benefit, and now I am slandered by that fellow Gouge,” and he almost blubbered with his grief, although with a very different emotion from that which overcome Master Tommy.

Mr. Allen hated all whining and hypocrisy ; his speech was always direct, whatever the subject of remark, yet always polite and manly ; and he replied without hesitation, " I have a letter from my father, informing me that during my absence from here on travel, you had released Mr. Adams for a small sum ; at which he was pleased, since Mr. Adams had been so unfortunate. And I have since seen Mr. Adams, who has told me what I believe to be the truth—that you collected the whole amount due my father from him, and retained it yourself ; thus disobeying my father's instructions, and dishonoring his name by using it to cover your own fraud."

Mr. — sunk back into the corner of the sofa, resting his elbow on the side, and covering his face with his hand. All his natural cunning had forsaken him, because it was never any thing more than the passion of avarice, stimulated by the hope of gain, and no such hope now came to his aid. He felt his nothingness, and if he had quailed under the gentle rebuke of his daughter, he now writhed in agony under detection and in the presence of an honest man.

Mr. Allen went on, " I have been informed too, sir, that you purchased up other debts against Mr. Adams for a small part of their face, and dishonestly charged the whole sums in his account, in order to

absorb all the securities which you held. (An audible groan.) I have also been informed, that you caused the property which you held as security to be sold at auction, under unfavorable and unfair circumstances—that you contrived to depreciate its value in the minds of buyers, and then bought the whole yourself.” (Another and a deeper groan.) And Mr. Allen perceiving that he had the villain in his grasp, and thinking it the only time to do complete justice, added, “And to cap the climax of wrong—that you paid the villain Gouge for continuing a vexatious and persecuting suit at law, for the purpose of driving Mr. Adams from the city, and the scene of his wrongs, and render yourself safe in your unlawful acquisitions.”

Mr. ——— could sit no longer. He rose from the sofa and strode across the room, measuring at least a yard and a half at each stride ; his head thrown back, his arms swinging loose in the shoulder-sockets like pendulums, he ejaculated, “Oh ! that Gouge, that Gouge ! who would have thought that an *honest* and *sensible* man like *me*, would ever have been so duped by him ?” And then his eyes reddened, and his visage “long drawn” stopping in front of Mr. Allen, in attitude like a culprit to receive his sentence, the latter proceeded :

“I have been waiting, sir, for a long time, for an opportunity which you have now made so favorable. I am affianced to your daughter; I am satisfied with her affections, her mind, her character, and her education, which happily was not altogether under your direction; and no discovery of improprieties not her own, shall induce me to change my mind. (A shade of hope crossed the culprit’s features.) You have been pleased to meet the proposals of my father for a mutual and liberal settlement; but I take the present opportunity to say, that I shall never consent to receive a portion with her that is unjustly retained from another who deserves it better than either of us: or, if such portion is the condition of our union, I shall immediately apply such part of it as may be proper, to make restitution for the wrongs committed.”

Mr. — again measured the circumference of the room with lengthened paces, and in a voice cracked with emotion, and a rise and fall of at least an octave, his chest heaving like a pair of bellows, in broken sentences, that required a hyphen at every third respiration of sound to connect their meaning, he now roared, now whispered, “Oh! Mr. Allen—you shall do—as you please—you shall do—as you please—only say no—no more about—

that Gouge ;” and then muttering to himself, “ Oh the villain—I paid the—the bill for—two thousand dollars—and I lost it—and now I shall not make—I mean I shall lose. Oh ! Mr. Allen you shall do as you please—you shall do as you please, only, say no more about that villain Gouge.”

CHAPTER XIV.

Have we not tracked the felon home ; and found
His birth-place and his dam ?

IN relating the foregoing incidents continuously, we have outrun a part of the thread of our story.

When it was ascertained that Mr. Gouge had in reality decamped, and the cause for it, Mr. Gammon, on inquiry, found, that he had collected various small sums of money of persons from whom it was due to the firm, and had never accounted for it. To make the extent of his loss certain, he called on all his clients, and among others Mr. Heartless ; and now for the first time learned the fact, and the nature of the bargain, on which Mr. Gouge had engaged to undertake the suit against Mr. Adams. The costs in that suit had already amounted to nearly one thousand dollars, and Mr. Heartless declined paying a cent of it ; (that which Gouge had received from another quarter he had kept a secret, and converted to his own use ;) and Mr. Gammon found that he was likely to be gammoned out of all the money paid for court fees, all his labor and ex-

pense of pens, ink, paper, and forensic eloquence into the bargain ; of all which his liberality had been most profuse, in the prospect of so good a client as Mr. Heartless ; and he could not forbear emphasizing a little upon the name of the latter gentleman, on receiving a flat refusal to pay an iota of the aforesaid expenditure.

His grief for the conduct of Mr. Gouge, and his anger at Mr. Heartless, greatly softened his feelings towards Mr. Adams. He knew him, he said, to be a kind-hearted man ; and perhaps, as he had suffered much himself, he would consider *his* griefs now, and pay the cost, for the favor of being released from so perplexing a suit. He could not believe such a trifle to be beyond his means ; nor would he, he believed, discredit his character, by such a lack of generosity, as to refuse, if he had the power. But Mr. Adams seemed fated to have his character misunderstood, for Mr. Gammon had mistaken it in this, as much as his partner had before in other matters. He not only declined the *liberal* offer, and refused to give a reason why, or to consider the question for a moment ; but even had the hardihood to say, that he should improve the defection of Mr. Gouge, and other evidences which he now held, on the first motion day of the court to move for a dissolution of the injunction—a total quashing of the suit, and to

throw the costs upon him, the said Gammon, or his client.

Mr. Gammon was now "put in straits," as they were wont to say in my native Yankee-land. This may mean a great deal ; a man may be in a strait for employment—in a strait for money—in a strait for an opinion—in a strait jacket, and sometimes, its signification is carried beyond the modesty of our pages. Any one afflicted with more than one of these difficulties at a time, is hard pressed, and Mr. Gammon certainly had two of them—he was in a strait for money, in a strait for an opinion, and in danger of all the others. He saw at once that he must either assume the bargain made by Gouge, and pursue the suit at his own risk and cost, or drop it, and lose all that had before accrued. If he assumed it, and the case went against him, he would himself be liable to pay all the defendant's cost also ; if he dropped it, that portion of the loss would fall on Heartless, for the suit had been conducted in his name, and with his authority. Circumstances might come out by the conduct of Gouge (and he had received some intimation that such would be the fact) in which it would appear that the suit was a malicious one ; and he felt conscious that it *had* been carried on wrongfully, and for no other purpose but to drive Mr. Adams into some settlement which

equity did not demand. In such a case, he would find it difficult to show that he was not a party to all Gouge's doings whatever they might be ; and the Tombs might find *him* a lodging, instead of Mr. Adams. Mr. Gammon was a prudent man when his own safety was concerned, and he resolved to meet only what was now a certainty, rather than incur a greater uncertainty, upon the frail hope which the prosecution of this suit afforded ; which at best held out no more, than to be continued from year to year with additional cost, and the certainty of defeat at last.

Whoever of our readers has looked forward to an interesting trial, as the result of the chancery suit, and the dissolving of that all-powerful and hated edict, the injunction, will be thrown back in his memory upon the fable of the mountain that labored, and brought forth a mouse. Mr. Adams was prepared, by the evidence of Mr. Allen in regard to Gouge's disclosures, with testimony that would undoubtedly have met the case, had it been defended. Notices for the motion were duly served, the day came, and no plaintiff appearing, the case went by *default* ; and as a necessary consequence, the suit was ended, the motion granted, and the injunction dissolved, by the *involuntary operation of a necessary rule* and *without any action of the court of*

chancery in the matter. And *thus* terminated a series of persecutions of more than a year's continuance, which, if they find a parallel in any other place, could have been sustained, under the circumstances, in no other court in America but *the court of chancery of the State of New-York* ; and which, for all the prompt action of the court in the matter, might have been continued ten years longer ; and in hundreds of cases, are thus continued from year to year, serving for no other purpose, but to hinder those from the enjoyment of their just rights who are content to receive them only—to aid villainy in covering its designs, whether with plaintiff or defendant—to lock up property from all use, or to perish and run to waste—to fritter away its value in expense of litigation—to encourage the strong to oppress the weak—to deprive families of their support—to crush the energies of men, and drive them from their propriety—to encourage the wicked designs of some invading the rights of others—to invade the express provisions of our statutes under plea of equity—to assume jurisdiction which properly belongs to our law courts, and thus overturn their authority—to increase litigation—to establish arbitrary rules—to monopolize power, and finally to overturn our institutions, by destroying the very first principles of them, the right of a trial by jury.

The writer knows of cases now in the chancellor's court, which have been there for eight or ten years, involving no difficulty of decision, wherein the claim is not two thousand dollars, and the property in question has been damaged ten thousand dollars by delay—which still lie slumbering from no other cause than the establishment by the chancellor himself of an arbitrary rule of classification, and which could have been got through with in any two terms of any of our law courts.

And here, perhaps, as we have come to the end of our law-suit, we might be expected by some who look only to that part of our story, to end our book also with the customary peroration; but in our progress we have discovered characters with whom we are not yet disposed to part acquaintance.

Mr. Adams had already held a correspondence with his brother about removing to the far west, and the latter had recommended and conditionally agreed to purchase a farm on good terms, near the village where *he* lived; and being now relieved from the chancery suit, and his wife again at liberty to control her little property, after paying the little debts contracted in the support of his family, was preparing to depart on the opening of the canal, to enable him to transport his goods, when the circumstances recorded in the last chapter occurred.

Mr. Allen, now seeing the way open to replace Mr. Adams in the possession of some means to compromise his debts, proposed to him to remain in the city, and signified to him, that as he should embark for Europe in a month, if Mr. Adams chose to remain in the city, he should use his influence to procure for him the agency of the House of ——— of *London*, and he had no doubt that his efforts in that respect would be effectual. But Mr. Adams had now so far completed his arrangements, that while he felt grateful for, and flattered by the proposal, he also felt compelled to decline it; and his own experience of the changes and chances of commerce was such, that he preferred his sons should become “lords of the soil,” rather than take their chance of becoming masters of finance.

To one argument, however, Mr. Adams was not deaf. Mr. Allen told him as delicately as possible the condition of things in regard to Mr. ———, (which had now in a great measure become a matter of confidence between himself and Amelia,) and that it was indispensable for him (Mr. Adams) to perform the duty of god-father, and Katharine that of bride’s-maid at a ceremony that would take place at Old Trinity on the morning of his embarkation.

A few weeks were spent in the “busy note of preparation,” and we must be pardoned a little digres-

sion in saying, that Amelia was often at Mrs. Adams' rooms, who still occupied her humble chambers ; and where were held between the trio, many consultations about taste, patterns, fits, &c., all which were determined on the side of simplicity, as the only "regal ornament" proper on such occasions for the queen of the place and the hour ; and when Mr. Adams wondered what all these could be for, a blush which the pale rose might envy, would steal to the cheek of Amelia.

In the mean time Mr. Adams, being prepared for such a purpose through means which the reader has anticipated, called his creditors together and proposed a compromise, which they all accepted, and gave him a discharge ; Mr. Heartless also consenting through shame, and only objecting, because, he said, that he had paid the *defendant's* cost in the suit, which had been carried on by Gammon & Gouge, and which he could not now collect of the former, who denied the bargain with Gouge, and had only lost his own cost and time in the matter. And here we wish the reader to observe one point in the moral of this story, that in every attempt at dishonest or dishonorable gain, the loss has fallen in the end on him who laid the plot ; and we wish to express our clear opinion in the matter, that should a man

be successful for his whole life, in a course of dishonor or oppression, he will meet his reward at last, and find that in each particular instance of departure from right, he has made a losing bargain.

CHAPTER XV.

Earth is not all fair, yet it is not all gloom;
And the voice of the happy will tell,
That he who allotted life's ills and the Tomb,
Gave Hope, Health and the Bridal as well.

It was on one of those beautiful mornings in May, when the clear light of day had spread her silver wings in her westering flight, when the pearly dews of night now hung on every blade of grass and every leaf of foliage on that beautiful spot the Battery—each crystal drop illumined by the sun “yet hovering o’er the ocean’s brim;” and fanned by the soft south wind, the branches waved, tilting the songsters to their own notes which warbled there,—a party was seen to issue from a proud mansion, and entering three carriages, which with liveried footmen stood in waiting, drove rapidly up to “Old Trinity.”

The priest, who in his sacerdotal, emblems of his office and the sanctity of the place, already stood in the chancel, held the volume in his hand, which contained the words, that, in the name of the Father, and of the Son, and of the Holy Ghost, should wed the hands of already wedded hearts.

As they enter the consecrated temple, foremost of the party, we discover Mr. and Mrs. Adams, dressed in appropriate yet simple style ; and as they approach the altar they separate, for " Henry" and Amelia to approach, who, with her white train, and veil and scarf, Mr. Adams thought would have looked a queen, " without more train than nature gave ;" but now she was more beautiful than queenly dignity could make her, " grace was in all her steps, heaven in her eye, in every gesture dignity and love ;" she stood before him the soul of innocence and virtue, the soft blush and timid glance of love, only telling of the purity within.

Behind her came Katharine Adams and two other young ladies in their white and flowing dress and veils ; and if Mr. Adams was in love with Amelia, he was proud of his daughter. Along with these came three gentlemen in attendant bridal dress, the family of Mr. — and some friends following, and the whole made up a scene which any painter copying to the life, would immortalize his name.

The party arranged, the ceremony proceeded, and when Mr. Adams took the soft hand of Amelia to be placed by the minister in that of Henry, the tear of affection warm from his heart sealed the union with its pearly drop ; and oh ! how earnestly did he pray in his heart, that God would bless their

union with happiness, and their hopes with heaven. The imposing solemn and beautiful ceremony of the church being ended, and the benediction sealed by the kiss of love, the party all returned to the mansion, and sat down to a sumptuous "*déjeuné*."

The party was a happy one—Mr. Adams, if he remembered his wrongs from the father, forgave them in his affection for the daughter,—Mr. — looked simple and fawned his forgiveness, by complimenting Mr. Adams' integrity,—Mrs. — prattled fashionable nonsense,—Mrs. Adams was gay and cheerful,—Mr. Allen acted both the lover and the man,—Amelia looked the angel, and Katharine Adams amused and annoyed them both with her mischief.

The scene of leave-taking is always painful, and as we have done with all such scenes, we shall "forget to remember" all the last words, charges to write often, tears, compliments and adieus, that took place before the party separated.

In the afternoon, when the steam-boat with Mr. Adams' family on board pushed out into the North River and flew like the *swallow* along the banks of the highlands; the stately ship which bore Henry and Amelia from our shores, was seen in the dim vista of the distance, just rounding "the Hook," into the broad expanse of waves; across whose

bosom, "like a thing of life," panting, and foaming, and plunging, and lashing her sides with the billows, she now bent her way to Albion's Isle. But is this separation of true hearts to be forever? No! no! for if not *here*, they shall meet again, beyond the shores of an ocean, whose waters wash the walls of the city of God.

Mr. Adams and his family pursued their way into the far west, and established themselves on the farm purchased by his brother, near by his own lands, and close by the village of —, in the northern part of the state of Indiana, where his excellent character and general intelligence at once brought him into notice; and being free from debt and embarrassment, his good management immediately gave a prosperous turn to his affairs. He has increased the breadth of his fields, and now, in the month of June, when the sun in Cancer pours down his torrid heat on the Atlantic shores, and the parched earth sets "all the air adust," in a mild and equable climate, his fields, watered by the smooth and flowing stream and the abundant dews of heaven, teem with fresh verdure, and laden with rich harvests of fruits, and grain, that grow "too luxuriant without more hands to crop," he is happy, contented, and richer than the mines of Potosi.

Although but three short years have elapsed

since his settlement there, yet the inhabitants of the district have already agitated the subject, and seem intent on deciding, at the next election, that he is the fittest man to send to the next congress; to use his influence there, in the making of harbours, establishing custom-houses, light-houses, and regulating the commerce of the northern lakes.

Mrs. Adams receives the same respect there, which her character always commanded in every situation. The judge totally uncovers his bald head to the burning sun when he meets her; and the counsellor is known to have said, that if all women came as near being angels as Mrs. Adams does, there would be fewer devils in the shape of men than are met with now-a-days. The children are all healthy and happy, and a worthy bachelor, a friend of ours, who has lately returned from there, has told us that, "he put a plump question to Kate, and what do you think she said? why, the jade told me that she 'was too happy where she was, to exchange her books, her garden, and the presence of her father and mother, for a furnished house in Bond-street, a new coach, and a rusty bachelor for a swain;' all which I offered her as a first *douceur* in the bargain."

"You don't say so?" said I.

"She did, hang me if she didn't."

The bachelor will never be hanged, we give our warrant.

The ship which bore Henry and Amelia to the shores of England, arrived safely at Portsmouth. Amelia was delighted when she trod on English ground, that father-land of America—all the stories of her childhood, all her gay and girlish fancies, and all the real and more sober beauties of a riper knowledge, were now before her in English scenery. Who is there, of English stock in America, that does not love and long to look on the land of the birth-place of their fathers—to tread the soil where they first drew breath, to view the scenes which pleased *their* childhood, to repose under the shadow of English oak, and feel protected by her time-tried institutions?—Away with the prejudice of narrow minds; it is home. We boast of England's glory, and next to the land that gave *us* birth, we love the land of our fathers: only let her remember, that we are now at our majority, and treat us as the eldest born; and if we ever quarrel with her again, it will be her fault and not ours.

Proceeding from Portsmouth through a beautiful country to London, and there exchanging their conveyance for his father's coach which stood in waiting, they proceeded a few miles out of town to Henry's paternal mansion, overlooking and near the banks of the Thames; and that day Henry sat down to dinner in his father's halls, from which he had been absent more than two years.

Joy at the return of a son and a brother, mingled with the pleasure and undisguised satisfaction at an introduction to his lovely bride, gave no common zest to the evening. Amelia was received and treated as her true loveliness of mind, person, and manners deserved ; and she was happier than ever before, in finding in her adopted father, mother and sisters, all that excellence which her husband's character entitled her to expect.

Some three months elapsed before an exchange of letters took place between them and the Adamses ; and then both were made doubly happy, by the knowledge that the other was so.

In the mean time Henry became a member of the house in London, entered upon his duties in business, and took a beautiful cottage near his father's house. The correspondence was regularly kept up, and Amelia's glowing descriptions of English scenery show that she is happy, and prove her taste for the beautiful : while Katharine thinks that it may be a softer beauty, but less majestic than the tall forests of the west. Henry has boasted to Mr. Adams that he is once a father, and expects to be again, a complete refutation of the libel, that the air of England is not congenial to occidental plants.

Mr. Gammon still goes on gammoning his clients, not forgetting his friend the Chancellor, as

often as he can avail himself of his power : but since the affair of Mr. Gouge, he may be oftenest seen in the Sessions, defending by his eloquence and the use of the lawyer's privilege, some bloated male or female pugilist from the purlieus of that neighborhood once denominated the Collect.

Mr. ——— still maintains his standing, that is, he walks on his feet, or to use his own favorite phrase in all his mischances, he has had the good fortune to come "right side up," except that the house of—— of London, in which his son-in-law is a partner, has for *some reason or other* seen fit to establish a special agency here, for the transaction of their business ; which he thinks an ill judged measure, when he could have done it so much better, and at less cost. He may be seen passing in Wall-street daily with an unsubdued air of self-importance, and he will know his portrait here when he sees it. His name, with that of Mr. Heartless, was lately conspicuous on a petition to Congress, to prevent the passage of a bankrupt act, in which the principal argument used was, that such an act would afford an opportunity and inducement for DEBTORS to become DISHONEST !!!!!

THE END.



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Author [Jackson, Frederick]

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